



Volume 45 (2015)

Pennsylvania Bulletin
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December 12, 2015 (Pages 6959-7086)

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PENNSYLVANIA BULLETIN

Volume 45
Saturday, December 12, 2015 • Harrisburg, PA
Number 50
Pages 6959—7086

Agencies in this issue

The Governor
The Courts
Department of Banking and Securities
Department of Environmental Protection
Department of General Services
Department of Health
Department of Labor and Industry
Department of Revenue
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Gaming Control Board
Pennsylvania Public Utility Commission
State Board of Physical Therapy
State Board of Podiatry
Susquehanna River Basin Commission

Detailed list of contents appears inside.



**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 493, December 2015

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BULLETIN

(ISSN 0162-2137)

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800 West Church Road
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(717) 766-0211 ext. 2340
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CONTENTS

THE GOVERNOR

Executive Orders

Coordination of Food and Nutrition Programs; appointment of the Advisor to the Governor on Food and Nutrition Programs and the Governor's Food Security Partnership 6968

THE COURTS

APPELLATE PROCEDURE

Order adopting new Rule 126 and amending Rule 2119 of the Rules of Appellate Procedure; No. 257 appellate procedural rules doc..... 6971

LOCAL COURT RULES

Franklin and Fulton Counties

Amendment of local rules of civil procedure; misc. doc. 2015-4236..... 6982

Snyder County

Judicial administration; CP-55-AD-1 2015 6982

Union County

Judicial administration; 15 688 6984

PHILADELPHIA RULES

Regis Insurance Company, In Liquidation, PA; Commonwealth Court No. 1 REG 2015; Administrative Judge Administrative Order No. 03 of 2015..... 6980

RULES OF CIVIL PROCEDURE

Proposed amendment of Pa.R.C.P. No. 1910.16-4(d) . 6972
Proposed amendment of Pa.R.C.P. No. 1920.33..... 6975
Proposed amendments of Pa.R.C.P. Nos. 1930.2, 1930.4 and 1930.5 6977

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications (2 documents)..... 7000

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Aggregate Advisory Board; Regulatory, Legislative and Technical Subcommittee meeting 7063
Applications, actions and special notices..... 7002
Availability of rebates through the Pennsylvania Alternative Fuels Incentive Grant Program..... 7063
Governor's Pipeline Infrastructure Task Force Draft Final Report; extension of public comment period . 7064

DEPARTMENT OF GENERAL SERVICES

Notices

Lease retail space to the Commonwealth 7064

DEPARTMENT OF HEALTH

Notices

Ambulatory surgical facilities; requests for excep-

tions 7064
Ambulatory surgical facilities; requests for exceptions; correction 7065
Availability of grant funds through the State Lead Program 7065
Hospitals; requests for exceptions 7067
Long-term care nursing facilities; request for exceptions 7068

DEPARTMENT OF LABOR AND INDUSTRY

Notices

Consumer Price Index adjustment of base amounts on bids effective January 1, 2016 7068

DEPARTMENT OF REVENUE

Notices

Rates of tax on aviation gasoline and jet fuel for 2016; oil company franchise tax rate for 2016; alternative fuels tax rates for 2016..... 7070

FISH AND BOAT COMMISSION

Notices

Proposed special regulation designations 7072

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of comments issued 7072

INSURANCE DEPARTMENT

Notices

Application and request for a certificate of authority to provide a continuing care retirement community by Woodland SNF, LLC 7075
Bankers Life and Casualty Company (BNLB-130339371); rate increase filing for several individual LTC forms 7075
Coal Mine Compensation Rating Bureau; workers' compensation loss cost filing..... 7075
Geisinger Health Plan HMO—medical and pharmacy; small group transitional policies; rate filing..... 7075
Geisinger Quality Options, Inc. PPO—medical and pharmacy; small group transitional policies; rate filing..... 7076
Review procedure hearings; cancellation or refusal of insurance 7076
Review procedure hearings under the Unfair Insurance Practices Act 7076

PENNSYLVANIA GAMING CONTROL BOARD

Proposed Rulemaking

Saigon 5 Card; table game rules of play 6987
Three Card Prime; table game rules of play 6992

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Electric generation supplier license cancellations of companies with an expired financial security 7077
Energy Efficiency and Conservation Program; doc. no. M-2014-2424864..... 7078

Available Online at <http://www.pabulletin.com>

Service of notice of motor carrier applications. 7078
Service of notice of motor carrier formal complaints . 7079
Transmission line; prehearing conference. 7085

STATE BOARD OF PHYSICAL THERAPY

Notices

Bureau of Professional and Occupational Affairs v.
Bernadette Marie Gannon, PT; doc. No. 1290-
65-13 7085

STATE BOARD OF PODIATRY

Notices

Bureau of Professional and Occupational Affairs v.
Donald Kaplan, DPM; file No. 12-44-02844; doc.
No. 0805-44-15 7085

SUSQUEHANNA RIVER BASIN COMMISSION

Notices

Projects rescinded for consumptive uses of water. . . . 7086

READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND THE PENNSYLVANIA CODE

Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

Citation to the *Pennsylvania Bulletin*

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

Pennsylvania Code

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa. Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

Source Notes give the history of regulations. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at www.pabulletin.com.

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Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised. A fiscal note provides the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the 5 succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the 5 succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2015.

1 Pa. Code (General Provisions)

Proposed Rules

301	6818
303	6818
305	6818
307	6818
309	6818
311	6818
311a	6818
315	6818

4 Pa. Code (Administration)

Adopted Rules

1	653, 766, 1062, 6670
5	6968
6	542, 543, 768, 1064, 6797, 6799, 6802, 6804
7	655, 656
7a	656, 1937, 2455, 6968

Statements of Policy

1	4236
9	561, 1115, 1267, 2719, 3220, 3549, 3714, 4003, 4404, 4778, 4924, 6206

7 Pa. Code (Agriculture)

Adopted Rules

128	308
137b	3311, 4904

10 Pa. Code (Banking and Securities)

Adopted Rules

57	408
----	-----

17 Pa. Code (Conservation and Natural Resources)

Adopted Rules

21	5493
23	5493

22 Pa. Code (Education)

Adopted Rules

121	4163
-----	------

Statements of Policy

233	5586
-----	------

25 Pa. Code (Environmental Protection)

Adopted Rules

77	4904
86	4904
87	4904
88	4904
89	4904
90	4904
93	2829
211	4904
806	16

Proposed Rules

87	5920
88	5920
90	5920
109	5943
129	4351, 4366
215	1367
806	6202

901	2611
-----	------

28 Pa. Code (Health and Safety)

Adopted Rules

25	3708
----	------

31 Pa. Code (Insurance)

Proposed Rules

161	4763
-----	------

34 Pa. Code (Labor and Industry)

Adopted Rules

401	6813
403	6813

40 Pa. Code (Liquor)

Adopted Rules

3	2594, 5681
5	6593
7	4761, 5399, 6595

Proposed Rules

3	5791, 6698
5	1850, 5791
7	2479, 2614, 6269
11	5791
13	2478

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

1	2466
21	6196
27	4911
43b	3360

Proposed Rules

5	2887
11	2878
36	4385
37	2368
43b	2704, 2874

52 Pa. Code (Public Utilities)

Adopted Rules

3	2468
5	2468
23	2468
29	3828
31	2468
32	2468
1017	6596
1021	6596

Proposed Rules

53	1264
54	1258
62	2705
1017	2876, 5684

Statements of Policy

52	3856
----	------

55 Pa. Code (Public Welfare)

Statements of Policy

181	1633
-----	------

58 Pa. Code (Recreation)**Adopted Rules**

61	5788, 6678
63	1616, 5788
65	1256, 3840, 5788
75	3841
79	5788
97	1616, 6679
103	1616
109	6679
111	6679
115	6679
131	560, 6501
133	1363, 6501
135	2596, 6502
139	2596, 2603
141	2604, 2605, 2606, 2607
143	1365, 6503
147	1363, 1366, 2606, 2607, 2608, 3362, 6503
421a	2829
423a	2829
425a	2829
427a	2829
429a	2829
431a	2829
433a	2829
435a	2829
437a	2829
440a	2829
441a	2829
461a	2829
465a	2358, 2829
609a	2829
623a	2829
633a	2829
643a	2829
645a	2829

Proposed Rules

53	6689
61	1619, 3854
63	1619
65	1257, 1619, 6695
75	6691
79	1619
97	3844
105	6689
109	3844
111	3844, 6689
115	3844
131	4921
133	4922
135	1374, 4920
139	1375, 1381
141	1369, 1371, 1372, 1630
143	4919
147	1371, 1372, 1631, 4918, 4919
461a	4170
463a	4170
465a	4170, 4185
583	4185
585	4185
587	4185
588	4185
589	4185
590	4185
591	4185
592	4185
593	4185

601a	4170
605a	4170
607a	4170
611a	4185
659a	1383
667a	4185
668a	4185
669a	4185
670a	4185
671a	4185
672a	4185
673a	4185
674a	4185
675a	4185
676a	4185
677a	4764
678a	4764
679a	6992
680a	6987

61 Pa. Code (Revenue)**Adopted Rules**

899	2359
-----	------

Proposed Rules

701	2362
702	2362
703	2362

67 Pa. Code (Transportation)**Adopted Rules**

15	6687
----	------

Proposed Rules

71	2716, 3711
83	2255, 3218

Statements of Policy

190	6886
-----	------

101 Pa. Code (General Assembly)**Statements of Policy**

31	2051, 5959
303	2051

201 Pa. Code (Rules of Judicial Administration)**Adopted Rules**

6	1838
19	2040
40	2589, 6400
50	6400

204 Pa. Code (Judicial System General Provisions)**Adopted Rules**

29	5905
81	279, 953, 2825
82	2825
83	279, 953
85	2457
87	544
89	544, 6586
91	544
93	544, 2457
95	544
211	6880
303	3457

Proposed Rules

81	6583
213	661
303	1751

207 Pa. Code (Judicial Conduct)**Adopted Rules**

33	8, 1841, 4154, 4156, 5781
51	860, 1838

210 Pa. Code (Appellate Procedure)**Adopted Rules**

1	6808, 6971
11	288
19	1943
21	290, 6971
37	3975
63	6880
65	5906
69	3975

Proposed Rules

1	1605
15	4885
16	4885
17	6113
21	1605

225 Pa. Code (Rules of Evidence)**Adopted Rules**

Article IV	4759
------------	------

Proposed Rules

Article VIII	6472, 6476
Article IX	6472

231 Pa. Code (Rules of Civil Procedure)**Adopted Rules**

200	291, 1490, 3801, 3976, 6480
1910	1354, 1842, 2352, 6400
1915	1354, 4158, 6587
1920	1354, 2457
1930	1354
1950	3802
3000	2825

Proposed Rules

200	1843, 5384
400	1249
1000	1249, 5384
1900	1250
1910	6972
1915	1606, 5676
1920	6975
1930	6977
1950	1607
Part II	1070

234 Pa. Code (Rules of Criminal Procedure)**Adopted Rules**

4	2040
5	5785
6	3980
10	2040

Proposed Rules

1	2140, 5384
4	1846, 3978, 5913
5	3810, 5915
7	675, 3978, 5913

237 Pa. Code (Juvenile Rules)**Adopted Rules**

1	953, 3986
11	3986, 3987
12	3987
13	3987
14	3987
15	3987
16	3987

Proposed Rules

1	4344, 4902, 5384
3	4344
4	1491, 4344
11	4344, 5384
13	4344
16	3999
17	4344

246 Pa. Code (Minor Court Civil Rules)**Adopted Rules**

100	3811
200	3811
800	1492
1200	3811

Proposed Rules

200	954, 1251
300	1356, 1358
400	954, 1252
500	954, 1111, 1356
800	954
1000	954, 1111, 1358

249 Pa. Code (Philadelphia Rules)

Unclassified	291, 306, 2461, 2826, 3201, 5395, 5677, 5786, 5917, 6588, 6980
--------------	--

252 Pa. Code (Allegheny County Rules)

Unclassified	2464
--------------	------

255 Pa. Code (Local Court Rules)

Unclassified	8, 10, 11, 407, 555, 676, 677, 678, 771, 772, 773, 860, 861, 862, 964, 1113, 1114, 1254, 1360, 1496, 1847, 1848, 1943, 1947, 1950, 2047, 2239, 2240, 2241, 2356, 2357, 2464, 2465, 2589, 2592, 2703, 2826, 2827, 3201, 3215, 3308, 3548, 3816, 3822, 3825, 3826, 4002, 4160, 4162, 4349, 4350, 4759, 4760, 4903, 5396, 5585, 5678, 5917, 6114, 6115, 6116, 6117, 6400, 6401, 6404, 6481, 6489, 6491, 6493, 6496, 6497, 6592, 6675, 6676, 6808, 6809, 6810, 6882, 6885, 6982, 6984
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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CHS. 5 AND 7a]

[EXECUTIVE ORDER NO. 2015-12]

Coordination of Food and Nutrition Programs; Appointment of the Advisor to the Governor on Food and Nutrition Programs and the Governor's Food Security Partnership

September 29, 2015

Whereas, hunger and inadequate nutrition remain serious problems in the Commonwealth of Pennsylvania, with too many of our citizens unable to access food for themselves or their families; and

Whereas, infant mortality, health problems associated with aging, the ability of children to learn in school, and the job readiness of workers are directly related to proper nutrition; and

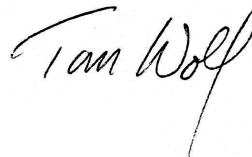
Whereas, proper nutrition plays a significant role in reducing infant mortality, with programs such as the Special Supplement Food Program for Women, Infants and Children (WIC) having a demonstrated effect on reducing the incidence of low birth weight, the primary cause of infant deaths; and

Whereas, studies have shown that 15.9 percent of Pennsylvania households experienced low or very low food security from 2012 through 2014; and

Whereas, Pennsylvania administers state and federal funds for food programs serving the elderly, families, pregnant women, infants and children, and other individuals in need; and

Whereas, through the coordination of the substantial and varied resources available to the public sector in conjunction with creative efforts in the private sector, Pennsylvania will ensure access to needed food and improve the nutrition of all Pennsylvanians.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby direct that all food and nutrition programs funded and administered by the Commonwealth be fully coordinated to assure that such programs achieve maximum effectiveness. To achieve such coordination, I do hereby direct the following.



Governor

Fiscal Note: GOV-15-12. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 5. COUNCILS AND COMMITTEES

Subchapter NN. (Reserved)

§§ 5.441—5.445. (Reserved).

CHAPTER 7a. ADDITIONAL MISCELLANEOUS PROVISIONS

Subchapter L. GOVERNOR'S FOOD SECURITY PARTNERSHIP
AND ADVISOR TO THE GOVERNOR ON FOOD AND NUTRITION
PROGRAMS

Sec.

- 7a.131. Advisor to the Governor on Food and Nutrition Programs.
- 7a.132. Governor's Food Security Partnership.
- 7a.133. Purpose of the Governor's Food Security Partnership.
- 7a.134. Duties and responsibilities of the Governor's Food Security Partnership.
- 7a.135. Effective date.
- 7a.136. Termination date.
- 7a.137. Rescission.

§ 7a.131. Advisor to the Governor on Food and Nutrition Programs.

(a) The Advisor to the Governor on Food and Nutrition Programs (Advisor) coordinates all food and nutrition programs and the Governor's Food Security Partnership (Partnership).

(b) The Advisor shall:

(1) Coordinate interdepartmental efforts designated to reduce hunger and improve nutrition among Pennsylvanians.

(2) Review and evaluate the operations and policies of all State and Federal food and nutrition programs administered by the Commonwealth.

(3) Organize private and public sector efforts to improve the Commonwealth's response to the food and nutrition needs of its citizens.

(4) Work with State and Federal officials, as well as with State and local food and nutrition providers, advocates and consumers, to increase the effectiveness and accessibility of Federal and State food and nutrition programs to reduce hunger and improve the nutrition of Pennsylvanians.

(5) Convene meetings and oversee the activities of the Partnership.

(6) Present the findings and recommendations of the Partnership to the Governor, the agencies of the Commonwealth and the General Assembly.

§ 7a.132. Governor's Food Security Partnership.

The Governor's Food Security Partnership (Partnership) is established to work with the Advisor to the Governor on Food and Nutrition Programs (Advisor) to develop and implement strategies to improve the nutrition of Pennsylvanians. The Partnership shall be chaired by the Advisor and be comprised of the cabinet secretaries of the Department of Aging, the Department of Agriculture, the Department of Community and Economic Development, the Department of Education, the Department of Health and the Department of Human Services.

§ 7a.133. Purpose of the Governor's Food Security Partnership.

Governor's Food Security Partnership is established to:

(1) Work cooperatively towards alleviating hunger and related conditions of poverty in this Commonwealth.

(2) Develop and implement plans and strategies which will improve the nutritional status of Pennsylvanians.

§ 7a.134. Duties and responsibilities of the Governor's Food Security Partnership.

The duties and responsibilities of the Governor's Food Security Partnership are to:

(1) Promote coordination, communication and joint planning among government programs and entities in the private sector in providing nutrition and food assistance to Pennsylvanians.

(2) Provide a forum for new and innovative efforts directed toward reducing hunger and improving the nutrition of all Pennsylvanians. These efforts may include developing new public or private sector initiatives.

(3) Work cooperatively on efforts to reach those who are at the highest risk of suffering from hunger, and to expand food and nutrition delivery systems to create better access to food and nutrition services for those in need.

(4) Identify gaps in food and nutrition delivery systems through statistical and program analyses, surveys, studies and public hearings.

(5) Develop, improve and expand education programs dealing with food and nutrition in this Commonwealth.

(6) Develop and implement strategies to expand the use of Pennsylvania agricultural products in public and private food and nutrition delivery systems.

§ 7a.135. Effective date.

This subchapter takes effect immediately.

§ 7a.136. Termination date.

This subchapter remain in full force and effect until the Governor's Food Security Partnership goes out of existence or this order is rescinded by another Executive Order.

§ 7a.137. Rescission.

Executive Order 1988-4, dated April 7, 1988, and Revision No. 1, dated December 27, 1990, are hereby rescinded.

[Pa.B. Doc. No. 15-2165. Filed for public inspection December 11, 2015, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CHS. 1 AND 21]

Order Adopting New Rule 126 and Amending Rule 2119 of the Rules of Appellate Procedure; No. 257 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 24th day of November, 2015, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published before adoption at 45 Pa.B. 1605 (April 4, 2015):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that new Pennsylvania Rule of Appellate Procedure 126 is adopted and Pennsylvania Rule of Appellate Procedure 2119 is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective January 1, 2016 for all filings as of that date.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

DOCUMENTS GENERALLY

(*Editor's Note:* The following rule is new and printed in regular type to enhance readability.)

Rule 126. Citations of Authorities.

A party citing authority that is not readily available shall attach the authority as an appendix to its filing. When citing authority, a party should direct the court's attention to the specific part of the authority on which the party relies.

Official Note: Pa.R.A.P. 126 is intended to ensure that cited authority is readily available to the court and parties. This rule is not intended to supersede any internal operating procedure of an appellate court regarding the citation to memorandum decisions or unreported opinions. *See, e.g.,* Superior Court Internal Operating Procedure § 37, 210 Pa. Code § 65.37; Pa.R.A.P. 3716 and Commonwealth Court Internal Operating Procedure § 414, 210 Pa. Code § 69.414.

The second sentence of the rule encourages parties to provide pinpoint citations for cases and section or subsection citations for statutes or rules.

Although the rule does not establish rules for citation, the following guidelines regarding the citation of Pennsylvania cases and statutes are offered for parties' benefit:

Regarding cases, the rule does not require parallel citation to the National Reporter System and the official reports of the Pennsylvania appellate courts. Parties may cite to the National Reporter System alone.

Regarding statutes, Pennsylvania has officially consolidated only some of its statutes. Parties citing a statute enacted in the Pennsylvania Consolidated Statutes may use the format "1 Pa.C.S. § 1928." Parties citing an unconsolidated statute may refer to the Pamphlet Laws or other official collection of the Legislative Reference Bureau, with a parallel citation to *Purdon's Pennsylvania Statutes Annotated*, if available, using the format, "Act of February 14, 2008, P. L. 6, 65 P. S. §§ 67.101—67.3104" or "Section 3(a) of the Act of May 16, 1923, P. L. 207, *as amended*, 53 P. S. § 7106(a)." Parties are advised that *Purdon's* does not represent an official version of Pennsylvania statutes. *In re Appeal of Tenet HealthSystems Bucks Cnty., LLC*, 880 A.2d 721, 725-26 (Pa. Cmwlth. 2005), *appeal denied*, 897 A.2d 1185 (Pa. 2006).

Prior to Pa.R.A.P. 126, the format for citation was discussed only in Pa.R.A.P. 2119(b), a rule applicable to briefs. The format guidelines above are not mandatory, and a party does not waive an argument merely by failing to follow the format. The guidelines above do, however, provide assistance to parties looking for generally acceptable citation format in Pennsylvania.

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 21. BRIEFS AND REPRODUCED RECORD

CONTENT OF BRIEFS

Rule 2119. Argument.

(a) *General rule.*—The argument shall be divided into as many parts as there are questions to be argued; and shall have at the head of each part—in distinctive type or in type distinctively displayed—the particular point treated therein, followed by such discussion and citation of authorities as are deemed pertinent.

(b) *Citations of authorities.*—Citations of authorities [**must set forth the principle for which they are cited**] in briefs shall be in accordance with Pa.R.A.P. 126 governing citations of authorities. [**Citations of uncodified statutes shall make reference to the book and page of the Laws of Pennsylvania (Pamphlet Laws) or other official edition, and also to a standard digest, where the statutes may be found. Citations of provisions of the Pennsylvania Consolidated Statutes may be in the form: "1 Pa.C.S. § 1928 (rule of strict and liberal construction)" and the official codifications of other jurisdictions may be cited similarly. Quotations from authorities or statutes shall also set forth the pages from which they are taken. Opinions of an appellate court of this or another jurisdiction shall be cited from the National Reporter System, if published therein.**]

(c) *Reference to record.*—If reference is made to the pleadings, evidence, charge, opinion or order, or any other matter appearing in the record, the argument must set forth, in immediate connection therewith, or in a footnote thereto, a reference to the place in the record where the matter referred to appears [**(see Rule 2132 (references in briefs to the record))**] (see Pa.R.A.P. 2132).

(d) *Synopsis of evidence.*—When the finding of, or the refusal to find, a fact is argued, the argument must

contain a synopsis of all the evidence on the point, with a reference to the place in the record where the evidence may be found.

(e) *Statement of place of raising or preservation of issues.*—Where under the applicable law an issue is not reviewable on appeal unless raised or preserved below, the argument must set forth, in immediate connection therewith or in a footnote thereto, either a specific [**cross reference**] **cross-reference** to the page or pages of the statement of the case which set forth the information relating thereto [**required pursuant to Rule 2117(c) (statement of place of raising or preservation of issues)**] **as required by Pa.R.A.P. 2117(c)**, or substantially the same information.

(f) *Discretionary aspects of sentence.*—An appellant who challenges the discretionary aspects of a sentence in a criminal matter shall set forth in a separate section of the brief a concise statement of the reasons relied upon for allowance of appeal with respect to the discretionary aspects of a sentence. The statement shall immediately precede the argument on the merits with respect to the discretionary aspects of the sentence.

Official Note: [The 2014 amendment to paragraph (b) eliminated the requirement for parallel citation to the Pennsylvania State Reports, which is the official court reports of the Pennsylvania Supreme Court, the Pennsylvania Superior Court Reports, which had been the official court reports of the Pennsylvania Superior Court, and the Pennsylvania Commonwealth Court Reports, which had been the official court reports of the Commonwealth Court.]

Where a challenge is raised to the appropriateness of the discretionary aspects of a sentence, the “petition for allowance of appeal” specified in 42 Pa.C.S. § 9781(b) is deferred until the briefing stage, and the appeal is commenced by filing a notice of appeal pursuant to Chapter 9 rather than a petition for allowance of appeal pursuant to Chapter 11.

[Pa.B. Doc. No. 15-2166. Filed for public inspection December 11, 2015, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Proposed Amendment of Pa.R.C.P. No. 1910.16-4(d)

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P. No. 1910.16-4(d) governing calculation of child support in divided or split custody cases for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of

those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by February 25, 2016. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Domestic Relations
Procedural Rules Committee

DAVID J. SLESNICK, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation, Formula.

* * * * *

(d) *Divided or Split Physical Custody. When Each Party [**Has Primary Custody of One or More of the Children**] **Owes Child Support to the Other Party. Varied Partial or Shared Custodial Schedules.***

(1) *Divided or Split Physical Custody. When Each Party [**Has Primary Custody of One or More of the Children**] **Owes Child Support to the Other Party.*** When calculating a child support obligation, and [**one or more of the children reside primarily with**] each party **owes child support to the other party as a result of the custodial arrangement**, the court shall offset the parties' respective child support obligations and award the net difference to the obligee as child support. [**For example, if**]

Example 1. If the parties have three children, one [**of whom resides with Father and two of whom reside with Mother**] child resides with the higher income party and two children reside with the lower income party, and their net monthly incomes are \$2,500 and \$1,250 respectively, [**Father's**] the higher income party's child support obligation is calculated as follows. Using the schedule in [**Rule**] Pa.R.C.P. No. 1910.16-3 for two children at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the parties is \$1,200. As [**Father's**] the higher income party's income is 67% of the parties' combined net monthly income, [**Father's**] the higher income party's support obligation for the

two children living with [Mother] the lower income party is \$804. The lower income party's child support obligation is calculated as follows. Using the schedule in [Rule] Pa.R.C.P. No. 1910.16-3 for one child, [Mother's] the lower income party's support obligation for the child living with [Father] the higher income party is \$276. Subtracting \$276 from \$804 produces a net basic support amount of \$528 payable to [Mother] the lower income party as child support.

Example 2. If the parties have two children, one child resides with the higher income party and the parties share custody (50% - 50%) of the other child, and the parties' net monthly incomes are as set forth in Example 1, the child support obligation is calculated as follows. Using the schedule in Pa.R.C.P. No. 1910.16-3 for the one child primarily residing with higher income party at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the parties is \$836. The lower income party's income is 33% of the parties' combined net monthly income, and the support obligation for the child living with the higher income party is \$276. For the higher income party's obligation for the child with the 50% - 50% shared custody arrangement, using the schedule in Pa.R.C.P. No. 1910.16-3 for one child at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the parties is \$836. The higher income party's proportionate share of the combined net incomes is 67%, but is reduced to 47% after applying the shared parenting time adjustment for 50% custody under Pa.R.C.P. No. 1910.16-4(c). The higher income party's child support obligation for the shared custody child is \$393 ($\$836 \times 47\%$). As the higher income party's obligation is greater than the lower income party's obligation, the lower income party is the obligee and receives the net of the two obligations by subtracting \$276 from \$393, or \$117.

When calculating a combined child support and spousal or alimony *pendente lite* obligation, and one or more children reside with each party, the court shall offset the obligor's spousal and child support obligation with the obligee's child support obligation and award the net difference to the obligee as spousal and child support. When one or more of the children resides with each party then, in calculating the spousal support or alimony *pendente lite* obligation, the court shall deduct from the obligor's income both the support owed for the child or children residing with the obligee, as well as the direct support the obligor provides to the child or children living with the obligor, calculated in accordance with the guidelines as if the child or children were not living with the obligor.

[(2) **Varied Custodial Schedules.** When the parties have more than one child and each child spends different amounts of partial or shared custodial time with the obligor, the trier of fact shall add the percentage of time each child spends with the obligor and divide by the number of children to determine the obligor's percentage of custodial time. If the average percentage of time the children spend with the obligor is 40% or more, the provisions of subdivision (c) above apply.]

(2) **Varied Partial or Shared Custodial Schedules.** When the parties have more than one child and each child spends:

(a) different amounts of partial or shared custodial time with the higher income party; or

(b) different amounts of partial custodial time with the lower income party

the trier of fact shall add the percentage of time each child spends with that party and divide by the number of children to determine the party's percentage of custodial time. If the average percentage of custodial time the children spend with the party is 40% or more, the provisions of subdivision (c) apply.

Example 1. The parties have two children and one child spends 50% of the time with the [obligor and another] higher income party and the other child spends 20% of the time with the [obligor] higher income party. Add those percentages together and divide by the number of children (50% plus 20% = 70% divided by 2 children = 35% average of the time with the [obligor] higher income party). Pursuant to subdivision (c), the [obligor] higher income party does not receive a reduction in the support order for substantial parenting time.

Example 2. The parties have three children. Two children spend 50% of the time with the [obligor and] higher income party and the third child spends 30% of the time with the [obligor] higher income party. Add the percentages of custodial time for all three children together and divide by the number of children (50% plus 50% plus 30% = 130% divided by three children = 43.33% average percentage of time with the [obligor] higher income party). Pursuant to subdivision (c), the [obligor] higher income party receives a reduction in the support order for substantial parenting time.

Example 3. The parties have three children, the higher income party has primary custody (60% - 40%) of one child, the lower income party has primary custody (60% - 40%) of one child, and the parties share custody (50% - 50%) of the third child. The parties net monthly incomes are \$2,500 and \$1,250. As a result of the custodial arrangement, the lower income party owes support for the child in the primary custody of the higher income party and the higher income party owes support for the child in the primary custody of the lower income party and for the child shared equally between the parties. The lower income party's child support obligation is calculated as follows. Using the schedule in Pa.R.C.P. No. 1910.16-3 for one child at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the parties is \$836. The lower income party's proportionate share of the combined net incomes is 33%, but is reduced to 23% after applying the shared parenting time adjustment for 40% custody under Pa.R.C.P. No. 1910.16-4(c). The lower income party's child support obligation for this child is \$192 ($\$836 \times 23\%$). The higher income party's child support obligation is calculated as follows. Using the schedule in Pa.R.C.P. No. 1910.16-3 for two children at the parties' combined net monthly income of \$3,750, the amount of basic child support to be apportioned between the par-

ties is \$1,200. The higher income party has varying partial or shared custody of the two children (40% and 50%). Under subdivision (d)(2), the custodial time is averaged or in this case 45%. The higher income party's proportionate share of the combined net incomes is 67%, but is reduced to 52% after applying the shared parenting time adjustment for 45% custody under Pa.R.C.P. No. 1910.16-4(c). The higher income party's child support obligation for these children is \$624 ($\$1,200 \times 52\%$). Offsetting the support amounts consistent with subdivision (d)(1), the higher income party's obligation is greater than the lower income party's obligation, and the lower income party is the obligee receiving the net of the two obligations by subtracting \$192 from \$624, or \$432.

Official Note: In cases with more than one child and varied partial or shared custodial schedules, it is not appropriate to perform a separate calculation for each child and offset support amounts as that method does not consider the incremental increases in support for more than one child built into the schedule of basic child support.

In some of the examples, the terms "higher income party" and "lower income party" are used rather than the more usual "obligor" and "obligee." In circumstances similar to the examples, it is often not immediately apparent which party will be the "obligor" or the "obligee" until after completing the calculation.

(e) *Support Obligations When Custodial Parent Owes Spousal Support.* Where children are residing with the spouse obligated to pay spousal support or alimony *pendente lite* (custodial parent) and the other spouse (non-custodial parent) has a legal obligation to support the children, the guideline amount of spousal support or alimony *pendente lite* shall be determined by offsetting the non-custodial parent's obligation for support of the children and the custodial parent's obligation of spousal support or alimony *pendente lite*, and awarding the net difference either to the non-custodial parent as spousal support/alimony *pendente lite* or to the custodial parent as child support as the circumstances warrant.

* * * * *

PUBLICATION REPORT

The Committee is proposing an amendment to Pa.R.C.P. No. 1910.16-4(d), *Divided or Split Physical Custody. When Each Party Has Primary Custody of One or More of the Children.* The Committee received input from several county Domestic Relations Hearing Officers and members of the bar that the current rule is confusing and is not clear in some cases involving multiple children with divided or split custody.

Currently, Pa.R.C.P. No. 1910.16-4(d), in relevant part, states:

(d) *Divided or Split Physical Custody. When Each Party Has Primary Custody of One or More of the Children. Varied Custodial Schedules.*

(1) *Divided or Split Physical Custody. When Each Party Has Primary Custody of One or More of the Children.* When calculating a child support obligation, and one or more of the children reside primarily with each party, the court shall offset the parties' respective child support obligations and award the net difference to the obligee as child support.

* * * * *

(2) *Varied Custodial Schedules.* When the parties have more than one child and each child spends different amounts of partial or shared custodial time with the obligor, the trier of fact shall add the percentage of time each child spends with the obligor and divide by the number of children to determine the obligor's percentage of custodial time. If the average percentage of time the children spend with the obligor is 40% or more, the provisions of subdivision (c) above apply.

From the language of this rule, it is clear that when both parties have primary custody of one child, subdivision (d)(1) applies and the parties' support obligations to each other are offset with the higher income party as the obligor. Additionally, subdivision (d)(2) of the rule is applicable in determining if a shared parenting time adjustment should be applied when an obligor has partial or shared custody of at least two children.

However, the scenario not clearly addressed by the rule is the situation involving multiple children with the higher income party having primary custody of at least one child and the parties equally sharing custody of at least one child. As subdivision (d)(1) requires that both parties have primary custody of at least one child, the current subdivision (d)(1) is inapplicable to these facts. Likewise, this scenario would not fall under subdivision (d)(2) as this subdivision is only applicable in determining the shared parenting time adjustment when an obligor has shared or partial custody of at least two children.

Under current subdivision (d)(1) of the rule, if the parties have primary custody of at least one child, each party has a duty of support to the other party and the support obligations are offset. The net difference of the two obligations would be paid to the party with the lower initial support obligation. With that said, the logical conclusion is that the primary custody and shared custody scenario best fits under subdivision (d)(1) as, typically, the higher income party would owe support to the lower income party for the equally shared child,¹ and the lower income party would owe support for the child primarily in the custody of the higher income party.²

The Committee proposes amending subdivision (d)(1) clarifying the applicability of the subdivision to cases involving multiple children when both parties would owe child support to the other party based on the custodial arrangement. The obligee would be determined after offsetting the support obligations and any net difference between the two obligations would be paid to the obligee. To further illustrate this scenario, an example of the application of the rule to these facts has been added following subdivision (d)(1).

Consequently, the Committee proposes amending subdivision (d)(2) clarifying the circumstances in which this subdivision is applicable in light of the proposed amendment to subdivision (d)(1) and modifying the heading to further illustrate the applicability of the subdivision. And, a third example has been added after subdivision (d)(2) with a factual scenario illustrating the interplay between subdivisions (d)(1) and (d)(2).

¹ As set forth in Pa.R.C.P. No. 1910.3(b)(2) and Pa.R.C.P. No. 1910.16-4(c)(2), the lower income party cannot be an obligor in a support case when a child spends equal time with both parties.

² This scenario is the typical case unless the trier-of-fact determines that *Colonna v. Colonna*, 855 A.2d 648 (Pa. 2004) applies to the facts of the case. If the trier-of-fact determines *Colonna* to be applicable to the case, then Pa.R.C.P. No. 1910.16-4(d) would not be applicable as the lower income party would not owe child support for the child in the primary custody of the higher income party; however, the higher income party would continue to owe support to the lower income party for the shared custody child and any other additional support the trier-of-fact determines appropriate under *Colonna* for the other child.

The Committee considered other methods of calculating support for multiple children with varying custody schedules, including averaging the custody time of all the children. The obligee would be the party with the higher amount of average custodial time with the children. However, the Committee believed this method led to unfavorable results when it considered various custodial arrangements. For example, the parties have three children with one child with the higher income party 100% of the time and the other two children 50% custody with each party would result in the average custodial time of 67% for the higher income party, who would be the obligee. The lower income party would pay support without any reduction due to substantial custody despite having two children 50% of the time. The Committee believed this to be unfair and inequitable, instead, preferred the method set forth in the proposed amendment.

Finally, the rule recommendation reflects a decision by the Committee to use gender neutral terms in the rules. In the future, as rules are amended or added, gender neutral terms will be substituted for specific gender terms (e.g. mother, father, husband, wife). With that policy determination in mind, in certain factual circumstances relevant to Pa.R.C.P. No. 1910.16-4(d), identifying the party who is the obligee or obligor is not readily apparent until completion of the entire calculation. An amended Note provides the rationale for the use of the terms "higher income party" and "lower income party" rather than the more frequently used terms "obligor" and "obligee."

[Pa.B. Doc. No. 15-2167. Filed for public inspection December 11, 2015, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 1920]

Proposed Amendment of Pa.R.C.P. No. 1920.33

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania an amendment of Pa.R.C.P. No. 1920.33 governing joinder of related claims in divorce actions for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by February 26, 2016. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

DAVID J. SLESNICK, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1920. ACTIONS OF DIVORCE OR FOR ANNULMENT OF MARRIAGE

Rule 1920.33. Joinder of Related Claims. [**Distribution of Property.**] **Equitable Division.** Enforcement.

(a) [**Each party shall file an inventory specifically describing all property owned or possessed at the date of separation.**] If a pleading or petition raises a claim for equitable division of marital property under Section 3502 of the Divorce Code, the parties shall file and serve on the other party an inventory, which shall include the information in subdivisions (1) through (3) and shall be substantially in the form set forth in Pa.R.C.P. No. 1920.75. Within 20 days of service of the moving party's inventory, the non-moving party shall file an inventory. A party may not file a motion for the appointment of a master or a request for court action regarding equitable [**distribution**] **division** until at least 30 days following the filing of that party's inventory. [**The other party shall file the inventory within 20 days of service of the moving party's inventory.**

The inventory shall set forth as of the date of separation:

(1) [**a specific description of all marital property in which either or both have a legal or equitable interest individually or with any other person and the name of such other person and all marital liabilities;**] a specific description of the marital assets, which either or both parties have a legal or equitable interest, individually or jointly with another person, the name of the co-owners, if applicable, and the marital liabilities, which either party incurred individually or jointly with another person, and the name of any co-debtors, if applicable;

(2) a specific description of [**all property or liabilities that are**] the assets or liabilities claimed to be non-marital and the basis for such claim; and

(3) the estimated value of [**each item of**] the marital and non-marital [**property**] assets and the amount of each marital and non-marital liability.

Official Note: Subdivision (c) [**of this rule**] provides for sanctions for failure to file an inventory as required by [**this**] subdivision (a). An inventory may be incomplete [**where the party filing it does not know of all of the property**] if a party lacks a comprehensive knowledge of the assets and liabilities involved in the claim for equitable [**distribution**] **division**. Consequently, the rule does not contemplate that a party will

be precluded from presenting testimony or offering evidence as to **[property] assets or liabilities** omitted from the inventory. The omission may be **[supplied by] remedied by inclusion of the omitted information in the pre-trial statement required by subdivision (b).**

(b) Within the time required by order of court or written directive of the master or, if none, at least **[sixty] 60** days before the scheduled hearing on the claim for **[the determination and distribution of property, each party] equitable division, the parties** shall file and serve upon the other party a pre-trial statement. The pre-trial statement shall include the following matters, together with any additional information required by special order of the court:

(1) a list of assets, which may be in chart form, specifying:

[(i) the marital assets, their value, the date of the valuation, whether any portion of the value is non-marital, and any liens or encumbrances thereon; and

(ii) the non-marital assets, their value, the date of the valuation, and any liens or encumbrances thereon;]

(i) The marital assets:

a. the value;

b. the date of the valuation;

c. the value of any non-marital portion;

d. the facts and documentation upon which the party relies to support the valuation; and

e. any liens or encumbrances associated with the asset.

(ii) The non-marital assets:

a. the value;

b. the date of the valuation;

c. the facts and documentation upon which the party relies to support the valuation; and

d. any liens or encumbrances associated with the asset.

(2) the name and address of **[each expert] the expert witnesses** whom the party intends to call at trial **[as a witness]**. A report of each expert witness listed shall be attached to the pre-trial statement. The report shall describe the **[witness's] expert's** qualifications and experience **[and]**, state the substance of the facts and opinions to which the expert is expected to testify and **[a summary of] summarize** the grounds for each opinion;

(3) the name, address and a short summary of the testimony of **[each person] the witnesses**, other than the party, whom the party intends to call at trial **[as a witness]**;

(4) **[a list of all of the exhibits which the party expects to offer in evidence, each containing an identifying mark. Any exhibits that do not exceed three pages shall be attached to the pre-trial statement, and any exhibits which exceed three pages shall be described;] a list of exhibits that the party expects to offer in evidence. Exhibits not exceeding three pages shall be attached to the pre-trial state-**

ment and shall have an identifying exhibit number affixed to or incorporated into the document, and exhibits exceeding three pages shall be described specifically and shall have an exhibit number in its description;

(5) the party's gross income from all sources, **[each payroll deduction, and the party's net income, including] payroll deductions, net income, and the party's most recent state and federal income tax returns and pay stubs;**

(6) if the party intends to offer **[any]** testimony as to his or her expenses, an Expense Statement in the form required by **[Rule] Pa.R.C.P. No. 1910.27(c)(2)(B);**

[(7) the value of a pension or retirement benefits, the marital portion thereof, and the facts and documentation upon which the party relies to support the valuation;

(8)] (7) if there is a claim for counsel fees, the amount of fees to be charged, the basis for the charge, and a detailed itemization of the services rendered;

[(9) where there is a dispute,] (8) the description and value of **[any items of] disputed** tangible personal property, **specifically the personalty contemplated by Pa.R.C.P. No. 1920.75(25),** the method of evaluating each item, and the evidence, including documentation, to be offered in support of the valuation;

[(10) a list of marital debts including the amount of each debt as of the date of separation, the date on which the debt was initially incurred, the initial amount of the debt and its purpose, the amounts and dates of payments made since the date of separation, and the evidence that will be offered in support of the claim;]

(9) a list of liabilities, which may be in chart form, specifying:

(i) The marital liabilities:

a. amount of the liability;

b. date of the valuation;

c. amount of any non-marital portion;

d. the facts and documentation upon which the party relies to support the valuation; and

e. amount, if any, of payments made on the liabilities after the date of separation.

(ii) The non-marital liabilities:

a. amount of the liability;

b. date of the valuation; and

c. the facts and documentation upon which the party relies to support the valuation.

[(11)] (10) a proposed resolution of the economic issues **raised in the pleadings.**

(c) If a party fails to file either an inventory, as required by subdivision (a), or a pre-trial statement, as required by subdivision (b), the court may make an appropriate order under **[Rule] Pa.R.C.P. No. 4019(c)** governing sanctions.

(d)(1) **[A] Except upon good cause shown, a party who fails to comply with a requirement of subdivision (b) [of this rule shall, except upon good cause shown,]**

shall be barred from offering [**any**] testimony or introducing [**any**] evidence in support of or in opposition to claims for the matters [**not covered therein**] omitted.

(2) [**A party shall, except upon good cause shown, Except upon good cause shown, a party shall** be barred from offering [**any**] testimony or introducing [**any**] evidence that is inconsistent with or [**which**] goes beyond the fair scope of the information set forth in the pre-trial statement.

(e) An order [**distributing property under**] entered by the court pursuant to Section 3502 of the Divorce Code may be enforced as provided by the rules governing actions for support and divorce[,] and in the Divorce Code.

Explanatory Comment—1994

23 Pa.C.S. § 3105(a) states that an agreement is enforceable by any means available pursuant to the Divorce Code for enforcement on an order, as though the agreement were an order of court, except as otherwise provided in the agreement. Thus, although Rule 1920.33 refers only to enforcement of orders, it also applies to enforcement of agreements.

PUBLICATION REPORT

The Committee is proposing an amendment of Pa.R.C.P. No. 1920.33. After a recent amendment to the rule, which eliminated the time frame to file an inventory in divorce cases raising equitable division of marital property, it was reported to the Committee that the current reading of the rule requires the parties to file an inventory in every divorce case regardless of whether equitable division had been raised in the pleadings. This result was an unintended consequence of the previous amendment.

As has been the case prior to the last amendment, the proposed language clarifies the rule to only require the filing of an inventory in divorce cases when a claim for equitable division has been raised in the pleadings by the parties. The language revision only conforms the rule, in part, to the past practice.

Other changes to the rule include revisions for easier readability, format changes, and deleting redundancy. Subdivision (b)(7) has been eliminated from the list of items included in pre-trial statements. The subdivision set forth a requirement of identifying the parties' pension and retirement benefits in the pre-trial statement as a separate item. Although the line item has been eliminated from the enumerated list, pensions and retirement benefits are assets and, as such, should be included under subdivision (b)(1).

[Pa.B. Doc. No. 15-2168. Filed for public inspection December 11, 2015, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 1930]

Proposed Amendments of Pa.R.C.P. Nos. 1930.2, 1930.4 and 1930.5

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania amendments of Pa.R.C.P. Nos. 1930.2, 1930.4 and 1930.5 governing domestic relations matters generally for the reasons set forth in the accompanying publication

report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by February 26, 2016. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

DAVID J. SLESNICK, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1930. RULES RELATING TO DOMESTIC RELATIONS MATTERS GENERALLY

Rule 1930.2. No Post-trial Practice. Motions for Reconsideration.

(a) There shall be no motions for post-trial relief in any domestic relations matter, **including Protection of Victims of Sexual Violence and Intimidation matters.**

Official Note: See Pa.R.C.P. No. 1957.

(b) A party aggrieved by the decision of the court may file a motion for reconsideration in accordance with [**Rule of Appellate Procedure**] Pa.R.A.P. 1701(b)(3). If the court does not grant the motion for reconsideration within the time permitted, the time for filing a notice of appeal will run as if the motion for reconsideration had never been [**filed**] **presented to the court.**

Official Note: Pennsylvania Rule of Appellate Procedure 903 states that [, **except as otherwise set forth by that rule,**] the Notice of Appeal shall be filed within [**thirty**] 30 days after the entry of the order from which the appeal is taken, **except as otherwise set forth in that rule.**

(c) [**The reconsidered decision, except as set forth in subdivision (e), shall be rendered within 120 days of the date the motion for reconsideration is granted. If it is not rendered within 120 days, the motion shall be deemed denied.**] The court shall render its reconsidered decision within 120 days of

the date the motion for reconsideration is granted, except as set forth in subdivision (e). If the court's decision is not rendered within 120 days, the motion shall be deemed denied.

(d) [The time for filing a notice of appeal will begin to run anew from the date of entry of the reconsidered decision, or, if the court does not enter a reconsidered decision within 120 days, from the 121st day.] If the court does not enter a reconsidered decision within 120 days, the time for filing a notice of appeal will begin to run anew from the date of entry of the reconsidered decision or from the 121st day after the motion for reconsideration was granted.

(e) [If the court grants the motion for reconsideration, and files same, within the 30 day appeal period, it may, at any time within the applicable 120 day period thereafter, issue an order directing that additional testimony be taken.] If the court grants the motion for reconsideration and files its order within the 30 day appeal period, the court may issue an order during the applicable 120 day period directing that additional testimony be taken. If [it does] the court issues an order for additional testimony, the reconsidered decision need not be rendered within 120 days, and the time for filing a notice of appeal will run from the date the reconsidered decision is rendered.

Rule 1930.4. Service of Original Process in Domestic Relations Matters.

(a) *Persons Who May Serve.* Original process in all domestic relations matters, including Protection of Victims of Sexual Violence and Intimidation matters, may be served by the sheriff or a competent adult:

(1) by handing a copy to the defendant; [or]

(2) by handing a copy:

(i) at the residence of the defendant to an adult member of the family with whom the defendant resides; but if no adult member of the family is found, then to an adult person in charge of such residence; [or]

(ii) at the residence of the defendant to the clerk or manager of the hotel, inn, apartment house, boarding house or other place of lodging at which the defendant resides; [or]

(iii) at any office or usual place of business of the defendant to the defendant's agent or to the person for the time being in charge [thereof.]; or

(3) [or] pursuant to special order of court.

Official Note: See [Rule] Pa.R.C.P. No. 76 for the definition of "competent adult." [Service upon] Original process served on an incarcerated person in a domestic relations action must also include notice of any hearing in such action[,] and specific notice of the incarcerated individual's right to apply to the court for a writ of *habeas corpus ad testificandum* to enable him or her to participate in the hearing. The writ is available [where] if an incarcerated individual wishes to testify as provided by statute or rule, [as well as where the] or if the incarcerated individual's testimony is sought by another. *Vanaman v. Cowgill*, 526 A.2d 1226 (Pa. Super. 1987). See 23 Pa.C.S. § 4342(j) and [Rule] Pa.R.C.P. No. 1930.3. In determining whether a writ of

habeas corpus ad testificandum should be issued, a court must weigh the factors set forth in *Salemo v. Salemo*, 554 A.2d 563 (Pa. Super. 1989).

(b) *Service in Protection From Abuse and Protection of Victims of Sexual Violence and Intimidation Matters.* [In Protection from Abuse matters only, original process may also be served by an adult using any means set forth in subdivision (a) above.] If personal service cannot be completed within [forty-eight (48)] 48 hours after a Protection From Abuse or a Protection of Victims of Sexual Violence and Intimidation petition is filed, the court may[, by special order as set forth in subdivision (a)(3) above, authorize service by another means] authorize alternate service by special order as set forth in subdivision (a)(3), including, but not limited to, service by mail pursuant to subdivision (c) of this rule.

[(c) *Service by Mail.* Except in Protection from Abuse matters unless authorized by special order of court pursuant to subdivision (b) above, original process may also be served by mailing the complaint and order to appear, if required, to the defendant's last known address by both regular and certified mail. Delivery of the certified mail must be restricted to addressee only, and a return receipt must be requested.

(1) If the certified mail is refused by defendant, but the regular mail is not returned within fifteen days, service may be deemed complete.

(2) If the mail is returned with notation by the postal authorities that it was unclaimed, service shall be made by another means pursuant to these rules.]

(c) Service by Mail.

(1) Except in Protection from Abuse and Protection of Victims of Sexual Violence and Intimidation matters, original process in all domestic relations matters may be served by mailing the original process, a notice or order to appear, if required, and other orders or documents, as necessary, to the defendant's last known address by both regular and certified mail.

(a) Delivery of the certified mail shall be restricted to the addressee only and a return receipt shall be requested.

(b) If the certified mail is refused by the defendant, but the regular mail is not returned within 15 days, service may be deemed complete.

(c) If the mail is returned with notation by the postal authorities that it was unclaimed, service shall be made by another means pursuant to these rules.

(2) In Protection from Abuse and Protection of Victims of Sexual Violence and Intimidation matters, original process may be served by mail pursuant to this rule, if authorized by the court under subdivision (a)(3).

Official Note: Nothing in this rule is intended to preclude a judicial district from utilizing the United States Postal Service's return receipt electronic option, or any similar service that electronically provides a return receipt, when using certified mail, return receipt requested.

(d) *Acceptance of Service.* In lieu of service pursuant to this rule, the defendant or the defendant's authorized agent may accept service of original process **[by filing with the prothonotary a separate document which shall be substantially in the following form:]** as set forth in Pa.R.C.P. No. 402(b).

[(Caption)

ACCEPTANCE OF SERVICE

I accept service of the _____
NAME OF DOCUMENT

I certify that I am authorized to accept service on behalf of the defendant.

DATE **DEFENDANT OR AUTHORIZED AGENT**

MAILING ADDRESS

Official Note: If defendant accepts service personally, the second sentence should be deleted.]

(e) *[Time for] Service Within the Commonwealth.* Original process shall be served **on a defendant located** within the Commonwealth within **[thirty] 30** days of the filing of the **[petition or complaint] original process.**

(f) *Service Outside of the Commonwealth.* Original process shall be served **on a defendant located** outside the Commonwealth within **[ninety] 90** days of the filing of the **[compliant] original process:**

- (1) by any means authorized by this rule; **[or]**
- (2) in the manner provided by the law of the jurisdiction in which defendant will be served; **[or]**
- (3) in the manner provided by treaty; or
- (4) as directed by the foreign authority in response to a letter rogatory or request.

In Protection from Abuse matters, **[the defendant] a defendant outside of the Commonwealth** must be personally served with original process **[outside of the Commonwealth]. [Such service] Service** may be made either in accordance with subdivisions (a) and (b) **[of this Rule]** governing personal service or as provided for by the law in the jurisdiction where the defendant resides **or is located.** If personal service cannot be completed within 48 hours after **[entry of the protection order] the filing of the original process,** service outside of the Commonwealth may be made by **[any]** other means authorized by this rule.

Official Note: Sections 5323 and 5329(2) of the Judicial Code, 42 Pa.C.S. §§ 5323 and 5329(2), provide additional alternative procedures for service outside the Commonwealth. For Protection from Abuse matters, personal service outside of the Commonwealth must **[first]** be attempted **first** before service can be made by certified and regular mail or by **[any of the]** other means prescribed in subsection (f) **[of this Rule]** for out-of-state service.

(g) *Reinstatement of [Complaint] Original Process.* If service is not made as required by subdivision (e) or (f) **[of this rule],** the prothonotary **shall reinstate the original process** upon praecipe accompanied by the original process, or praecipe indicating that the original

[complaint] process has been lost or destroyed accompanied by a substituted **[complaint, shall reinstate the complaint] original process.**

(1) **[A complaint] Original process** may be reinstated at any time and any number of times. A new party defendant may be named in a reinstated **[complaint] original process.**

(2) **[A reinstated complaint] Reinstated original process** shall be served as required by subdivision (e) or (f) **[of this rule].**

(h) *Proof of Service.* Proof of service shall be made as follows:

(1) The person **[making service of] serving the** original process shall **[make] complete** a return of service **[forthwith] without delay.** If service has not been **[made] completed** within the time allowed in subdivision (e) or (f), a return of no service shall be **[made upon the expiration of the period allowed for service] completed.**

(2) Proof of service shall set forth the date, time, place **[and],** manner of service, the identity of the person served, and any other facts necessary for the court to determine whether proper service has been made.

(3) Proof of service by a person other than the sheriff shall be by affidavit. If a person other than the sheriff **[makes] completes** a return of no service, the affidavit shall set forth with particularity the efforts made to effect service.

(4) Proof of service by mail shall include a return receipt signed by the defendant or, if the defendant has refused to accept mail service, the returned letter with the notation that the defendant refused to accept delivery^[,] and an affidavit that the regular mail was not returned within **[fifteen] 15** days after mailing.

(5) Proof of service or of no service shall be filed with the prothonotary.

(6) An executed Acceptance of Service shall be filed in lieu of a Proof of Service **[where defendant] if the defendant or defendant's agent** accepts service of the original process.

(i) *Appearance at Hearing or Conference.* **[Regardless of the method of service, a party who appears] A party appearing** for the hearing or conference will be deemed to have been served.

Rule 1930.5. Discovery in Domestic Relations Matters.

(a) There shall be no discovery in a simple support, custody **[or Protection from Abuse proceeding], Protection from Abuse, or Protection of Victims of Sexual Violence and Intimidation proceedings** unless authorized by order of court.

(b) Discovery shall be available without leave of court in accordance with **[R.C.P.] Pa.R.C.P. No. 4001** et seq. in alimony, equitable distribution, counsel fee and expense, and complex support proceedings.

PUBLICATION REPORT

The Committee is proposing the amendments of Pa.R.C.P. Nos. 1930.2, 1930.4, and 1930.5. Due to the enactment of 42 Pa.C.S. §§ 62A01—62A20, providing for

the protection of victims of sexual violence and intimidation, and the Supreme Court adopting Chapter 1950 of the Pennsylvania Rules of Civil Procedure, ancillary rules dealing with post-trial relief, service of process, and discovery in Domestic Relations matters in the 1930 series of rules required amendment to incorporate the new legislation and rules into the existing rules. In addition, format, grammar, and stylistic changes were made to clarify the rules, provide for easier readability and ensure the rules were unambiguous.

[Pa.B. Doc. No. 15-2169. Filed for public inspection December 11, 2015, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

**Regis Insurance Company, In Liquidation, PA;
Commonwealth Court No. 1 REG 2015; Administrative Judge Administrative Order No. 03 of 2015**

Order

And now, this 20th day of November, 2015, upon consideration of the following Order of Liquidation involving Regis Insurance Company issued by the Commonwealth Court of Pennsylvania on October 30, 2015, it is hereby *Ordered* and *Decreed* that all cases in which Regis Insurance Company is a named party shall be placed in deferred status until further notice.

It is further *Ordered* and *Decreed* that all actions currently pending against any insured of Regis Insurance Company shall be placed in deferred status until further notice.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1; and with the March 26, 1996 order of the Supreme Court of Pennsylvania, Eastern District, No. 164 Judicial Administration, Docket No. 1, as amended. This Order shall be filed with the Office of Judicial Records in a docket maintained for Orders issued by the First Judicial District of Pennsylvania, and one certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two certified copies of this Order, and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, shall be published in *The Legal Intelligencer*, and will be posted on the First Judicial District's website at <http://courts.phila.gov>. Copies shall be submitted to American Lawyer Media, the Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania.

By the Court

HONORABLE KEVIN M. DOUGHERTY,
*Administrative Judge, Trial Division
Court of Common Pleas, Philadelphia County*

HONORABLE ARNOLD L. NEW,
*Supervising Judge, Trial Division—Civil Section
Court of Common Pleas, Philadelphia County*

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

*Regis Insurance Company In Liquidation;
No. 1 REG 2015*

Order of Liquidation

And Now, this 30th day of October, 2015, upon consideration of the Petition for Review in the Nature of a Complaint for Order of Liquidation of Regis Insurance Company ("Regis") filed by Teresa D. Miller, Insurance Commissioner of the Commonwealth of Pennsylvania, and upon the unanimous consent of the Board of Directors of Regis and of the Board of Directors of Tiber Holding Corporation, the sole shareholder of Regis, it is hereby *Ordered* that:

1. The Petition for Liquidation is *Granted*, and Regis is ordered to be *Liquidated* pursuant to Article V of The Insurance Department Act of 1921, Act of May 17, 1921, P. L. 789, as amended, 40 P. S. §§ 221.1—221.63 ("Article V").

2. Insurance Commissioner Teresa D. Miller and her successor in office, if any, are hereby *Appointed* Statutory Liquidator of Regis and directed to take possession of Regis's property, business and affairs in accordance with Article V.

3. The Liquidator is hereby *Vested* with all the powers, rights and duties authorized under Article V and other applicable statutes and regulations.

Assets of the Estate

4. The Liquidator is vested with title to all property, assets, contracts and rights of actions (collectively "assets") of Regis of whatever nature and wherever located, as of the date of filing of the Petition for Liquidation. All assets of Regis are hereby found to be in custodia legis of this Court and this Court asserts jurisdiction as follows: (a) in rem jurisdiction over all assets of Regis wherever they may be located and regardless of whether they are held in the name of Regis or in any other name; (b) exclusive jurisdiction over all determinations as to whether assets belong to Regis or to another party; (c) exclusive jurisdiction over all determinations of the validity and amounts of claims against Regis; and (d) exclusive jurisdiction over the determination of the priority of all claims against Regis.

5. The filing or recording of this Order with the Clerk of the Commonwealth Court or with the Recorder of Deeds of the county in which Regis's principal office or place of business is located (Chester County), shall impart the same notice as is imparted by any deed, bill of sale or other evidence of title duly filed or recorded with that Recorder of Deeds.

6. The Liquidator is directed to take possession of all assets that are the property of Regis, and to administer the Regis assets in accordance with the orders of this Court. Specifically, the Liquidator is directed to:

(a) Inform all banks, investment bankers, companies, other entities or other persons having in their possession assets which are, or may be, the property of Regis, unless otherwise instructed by the Liquidator, to deliver the possession of the same immediately to the Liquidator, and not disburse, convey, transfer, pledge, assign, hypothecate, encumber or in any manner dispose of the same without the prior written consent of, or unless directed in writing by, the Liquidator.

(b) Inform all producers and other persons having sold policies of insurance issued by Regis to account for and

pay all unearned commissions and all premiums, collected or uncollected, for the benefit of Regis directly to the Liquidator within 30 days of notice of this Order and that no producer, reinsurance intermediary or other person shall disburse or use any monies which come into their possession and are owed to, or claimed by Regis for any purpose other than payment to the Liquidator.

(c) Inform any premium finance company that has entered into a contract to finance a policy that has been issued by Regis to pay any and all premium owed to Regis to the Liquidator.

(d) Inform all attorneys employed or retained by Regis or performing legal services for Regis as of the date of this Order that, within 30 days of notification, they must report to the Liquidator the name, company claim number (if applicable) and status of each matter they are handling on behalf of Regis; the full caption, docket number and name and address of opposing counsel in each case; an accounting of any funds received from or on behalf of Regis for any purpose in any capacity; and, further, that the Liquidator need not make payment for any unsolicited report.

(e) Inform any entity that has custody or control of any data processing information and records (including but not limited to source documents, all types of electronically stored information, or other recorded information) relating to Regis to transfer custody and control of such documents, in a form readable by the Liquidator, to the Liquidator as of the date of this Order, upon request.

(f) Inform any entity furnishing claims processing or data processing services to Regis to maintain such services and transfer any such accounts to the Liquidator as of the date of this Order, upon request.

7. The Liquidator is directed to continue telephone, data processing, water, electric, sewage, garbage, delivery, trash removal and utility services needed by the estate of Regis by establishing a new account for the Liquidator as of the date of this Order.

8. Regis's directors, officers and employees shall: (a) surrender peaceably to the Liquidator the premises where Regis conducts its business; (b) deliver all keys or access codes thereto and to any safe deposit boxes; (c) advise the Liquidator of the combinations and access codes of any safe or safekeeping devices of Regis or any password or authorization code or access code required for access to data processing equipment; and (d) deliver and surrender peaceably to the Liquidator all the assets, books, records, files, credit cards, and other property of Regis in their possession or control, wherever located, and otherwise advise and cooperate with the Liquidator in identifying and locating any of the foregoing.

9. Regis's directors, officers and employees are enjoined from taking any action, without approval of the Liquidator, to transact further business on behalf of Regis. They are further enjoined from taking any action that would waste the assets of Regis or would interfere with the Liquidator's efforts to wind up the affairs of Regis.

10. Except as otherwise provided in this Order, executory contracts to which Regis is a party as of the date of this Order may be affirmed or disavowed by the Liquidator.

11. The amount recoverable by the Liquidator from any reinsurer shall not be reduced as a result of this Order of Liquidation. Payment made directly by the reinsurer to any principal or other creditor of Regis shall not diminish the reinsurer's obligation to Regis except to the extent provided by law.

Continuation and Cancellation Policies

12. All Regis policies and contracts of insurance, whether issued within this Commonwealth or elsewhere, in effect on the date of this Order will continue in force for the lesser of the following: (1) thirty (30) days from the date of this Order; (2) until the normal expiration of the policy or contract providing insurance coverage; (3) until the insured has replaced the insurance coverage with equivalent insurance with another insurer or otherwise terminated the policy; or (4) until the Liquidator has effected a transfer of the policy obligation pursuant to Section 221.23(8).

Notice and Procedure for Filing Claims

13. All claims against the estate of Regis, together with proper proof thereof, shall be filed on or before June 27, 2016. No person shall participate in any distribution of the assets of Regis unless his, her or its claim has been filed with the Liquidator in accordance with the time limit established by the Liquidator, subject to the provisions for the late filing of claims pursuant to Section 537 of Article V, 40 P. S. § 221.37.

14. No judgment or order against Regis or its insureds entered after the date of filing of the Petition for Liquidation, and no judgment or order against Regis or its insureds entered at any time by default or by collusion, will be considered as evidence of liability or quantum of damages by the Liquidator in evaluating a claim against the estate of Regis.

15. In addition to the notice requirements of Section 524 of Article V, 40 P. S. § 221.24, the Liquidator shall publish notice in newspapers of general circulation, where Regis has its principal places of business that: (a) specifies the last day for the filing of claims; (b) explains the procedure by which claims may be submitted to the Liquidator; (c) provides the address of the Liquidator's office for the submission of claims; and (d) notifies the public of the right to present a claim, or claims, to the Liquidator.

16. Within thirty (30) days of giving notice of the order of liquidation, as set forth in Section 524 of Article V, 40 P. S. § 221.24, and of the procedures for filing claims against the estate of Regis, the Liquidator shall file a compliance report with the Court noting, in reasonable detail, the date that, and manner by which, these notices were given.

Administrative Expenses

17. The Liquidator shall pay as costs and expenses of administration pursuant to Section 544 of Article V, 40 P. S. § 221.44, the actual, reasonable and necessary costs of preserving or recovering the assets of Regis.

18. Distribution of the assets of Regis in payment of the costs and expenses of estate administration including, but not limited to, compensation for services of employees and professional consultants, such as attorneys, actuaries and accountants, shall be made under the direction and approval of the Court. This includes reimbursement to the Pennsylvania Insurance Department for expenses it has incurred in compensating professional consultants, attorneys and other persons it has engaged on behalf of Regis for the preservation of its assets.

Stay of Litigation

19. Unless the Liquidator consents thereto in writing, no action at law or in equity, including, but not limited to, an arbitration or mediation, the filing of any judgment, attachment, garnishment, lien or levy of execution pro-

cess against Regis or its assets, shall be brought against Regis or the Liquidator, or against any of their employees, officers or liquidation officers for acts or omissions in their capacity as employees, officers or liquidation officers of Regis or the Liquidator, whether in this Commonwealth or elsewhere, nor shall any such existing action be maintained or further prosecuted after the effective date of this Order. All above-enumerated actions currently pending against Regis in the courts of the Commonwealth of Pennsylvania or elsewhere are hereby stayed; relief sought in these actions shall be pursued, as is appropriate, either by filing a proof of claim against the estate of Regis pursuant to Section 538 of Article V, 40 P.S. § 221.38, or by applying to intervene.

20. All secured creditors or parties, pledges, lienholders, collateral holders or other person claiming secured, priority or preferred interests in any property or assets of Regis are hereby enjoined from taking any steps whatsoever to transfer, sell, assign, encumber, attach, dispose of, or exercise, purported rights in or against any property or assets of Regis except as provided in Section 543 of Article V, 40 P.S. § 221.43.

RENÉE COHN JUBELIRER,
Judge

[Pa.B. Doc. No. 15-2170. Filed for public inspection December 11, 2015, 9:00 a.m.]

Title 255—LOCAL COURT RULES

FRANKLIN AND FULTON COUNTIES

Amendment of Local Rules of Civil Procedure; Misc. Doc. 2015-4236

Order Pursuant to Pa.R.C.P. 239

November 13, 2015, *It Is Hereby Ordered* that the following Rules of the Court of Common Pleas of the 39th District of Pennsylvania, Franklin and Fulton County Branches are amended as indicated, to be effective (30) days after publication in the *Pennsylvania Bulletin*.

Local Rule of Civil Procedure 39-1018.1 is amended in the following form.

It Is Further Ordered that the District Court Administrator shall:

1. File a copy of this order and certified copy of the local rule with the Administrative Office of Pennsylvania Courts (AOPC).
2. File with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* two (2) certified paper copies and one (1) computer diskette or CD-ROM copy which complies with 1 Pa. Code Section 13.11(b) containing the text of the local rule.
3. File one (1) certified copy of the local rule with the Civil Procedural Rules Committee.
4. Provide one (1) certified copy of the local rule changes to the Franklin County Law Library and one (1) certified copy to the Fulton County Law Library.
5. Keep such local rule changes, as well as all local civil rules, continuously available for public inspection and copying in the Office of the Prothonotary of Franklin County and the Office of the Prothonotary of Fulton

County. Upon request and payment of reasonable cost of reproduction and mailing, the Prothonotary shall furnish to any person a copy of any local rule.

6. Arrange to have the local rule changes published on the Franklin County Bar Association web site at www.franklinbar.org.

7. Arrange to have the local rule changes published on the Franklin County Government web site at www.franklincountypa.gov, and on the Fulton County Government web site at www.fultoncountypa.gov.

By the Court

CAROL L. VAN HORN,
President Judge

Rule 39-1018.1. Notice to Defend. Form.

The agency to be contacted for legal help as provided in Pa.R.C.P. 1018.1 is:

Franklin County Bar Association Find A Lawyer Service
100 Lincoln Way East, Suite E
Chambersburg, PA 17201
Telephone: 717-660-2118

www.franklinbar.org/find

[Pa.B. Doc. No. 15-2171. Filed for public inspection December 11, 2015, 9:00 a.m.]

SNYDER COUNTY

Judicial Administration; CP-55-AD-1 2015

Order

And Now, this 24th day of November, 2015, the 17th Judicial District Local Rule of Judicial Administration 17CV1915.3 through 17CV1915.13-1 is adopted for use in Snyder County, Court of Common Pleas of the 17th Judicial District, Commonwealth of Pennsylvania, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The 17th Judicial District Court Administrator is Ordered and Directed to do the following:

- 1) File one (1) certified copy of this Order and Rule with the Administrative Office of the Pennsylvania Courts.
- 2) Forward two (2) certified copies of this Order and Rule and a computer diskette containing the text of the Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- 3) Forward one (1) certified copy of this Order and Rule to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.
- 4) Copies shall be kept continuously available for public inspection in the Office of the Snyder County Prothonotary.

By the Court

MICHAEL T. HUDOCK,
President Judge

CUSTODY MATTERS

17CV1915.3. Custody Petitions and Procedure.

A. All counts in a divorce complaint and all petitions relating to custody, partial custody, or visitation, of minor children shall be processed in accordance with 17CV1915.3, et seq.

B. As part of the pre-trial procedures, the Court Administrator shall refer all custody-related complaints or petitions, other than a petition for special relief, to mediation at the Susquehanna Valley Mediation Service and the Kids First program.

C. Upon receipt of notice that the parties did not resolve the matter through mediation and that the parties have attended Kids First, the Court shall refer the matter to the Custody Hearing Officer for the scheduling of the initial conference with the parties and their respective counsel.

D. Any pleading which requests the scheduling of a proceeding and also requests entry of a temporary order to maintain de facto custody provisions pending mediation or the initial conference shall set forth with specificity those facts supporting the request for the temporary custody order pending mediation or the initial conference.

17CV1915.4. Custody Hearing Officer.

A. The Custody Hearing Officer shall be appointed by the Court to meet with the parties and their legal counsel in a custody action to conciliate the matter, attempt to resolve issues and reach an agreed Parenting Plan/Custody Order and/or if this cannot be accomplished, to define and narrow the issues to be heard by a Judge.

B. Custody Hearing Officer—Not a Witness

To facilitate the conference process and encourage frank, open and meaningful exchanges between the parties and their respective counsel, statements made by the parties, or their witnesses, made in a conference before the Custody Hearing Officer shall not be admissible as evidence in a Custody Trial before the Court.

The Custody Hearing Officer shall not be a witness for or against any party in a Custody Trial before the Court or in any other proceeding whatsoever absent Court Order.

17CV1915.4-1. Initial Conference.

A. The parties and their respective counsel shall appear at the initial conference before the Custody Hearing Officer.

B. If the parties reach an agreement resolving all of the issues raised, the Custody Hearing Officer shall forward an order to the Court for approval setting forth the terms of such agreement.

C. If the parties do not reach an agreement resolving all issues raised, the Custody Hearing Officer will conduct a non-record proceeding to establish a recommended interim order as to legal and physical custody which will govern pending further proceedings. This non-record proceeding may be a conference with attorneys, conference with parties, and/ or the taking of testimony under oath and receipt of other evidence and arguments of counsel as the hearing officer deems appropriate, based upon the particular issues raised.

D. At the conclusion of the proceeding, the Custody Hearing Officer shall: 1) give the parties oral notice of the essential aspects of the recommended interim order and reasons for the recommendation; 2) make an initial determination as to the use of psychological evaluations or home studies, or the appointment of a Guardian ad Litem in accordance with 17CV1915.5.

17CV1915.4-2. Exceptions and Reconsideration of Interim Order.

A. No exceptions may be filed to an interim order entered in a custody action. Any matter not stipulated to

at the initial conference may be reviewed at the pre-trial conference or resolved at trial.

B. Should a significant change in circumstances arise after entry of an interim order and before the pre-trial conference necessitating a modification of the interim order, which modification cannot be amicably agreed upon pending the pretrial conference, either party may file a motion for reconsideration of the interim order, setting forth all pertinent facts in support thereof or verified by the filing party. The Court Administrator shall refer such motion to the hearing officer. Based on the allegations of the motion, the hearing officer may take any one or more of the following actions deemed appropriate under the circumstances: 1) enter an order summarily denying the motion; or 2) hold a telephone or other conference with counsel for both parties; or 3) after providing the opposing party an opportunity to respond, enter a modified interim order; or 4) direct that the matter be resolved at the pre-trial conference.

17CV1915.4-3. Approval of Recommended Orders.

Any recommended interim order of the Custody Hearing Officer shall be submitted to the court for approval and upon court approval shall have the effect of a pre-trial order.

17CV1915.4-4. Settlement.

A custody case will be removed from the initial conference or pre-trial schedule and/or the custody trial list only upon the filing of the settlement agreement or Court order.

17CV1915.4-5. Pre-trial Conference.

At the time set for the pre-trial conference, both parties shall submit a pre-trial memorandum in the form prescribed by the Court. Both parties and their respective counsel shall appear before the Court for presentation of the issues and discussion of possible settlement and disposition of any matters referred to the Court.

17CV1915.5. Physical/Mental/Psychological Examinations and Home Studies.

A. Upon agreement of the parties at the initial conference, the Custody Hearing Officer may include in the recommended interim order that the Court appoint a Guardian ad Litem pursuant to Pa.R.C.P. 1915.11-2 and/or a directive that the parties obtain physical, mental or psychological examinations and/or home studies, prior to the date of the pre-trial conference or trial and may establish a date by which the parties must make the initial arrangements.

B. Any request by the parties for evaluations made after the initial conference and not made at the pre-trial conference or entered into by stipulation must be made by Petition for Rule to Show Cause alleging specific facts and reasons for the request.

C. Unless otherwise directed by the Court or Custody Hearing Officer or agreed upon by the parties, the expense of any evaluation shall be borne initially by the party requesting the evaluation and shall be paid in accordance with Pa.R.C.P. No. 1915.8. A final allocation of the expense may be made by the Court upon entry of an order or decision rendered on any issues raised in the proceeding.

D. Any evaluation filed with the Court shall not be available for public inspection and shall be sealed by the prothonotary.

17CV1915.13-1. Petition for Special Relief. Ex Parte Hearing and Temporary Order.

A. Where a party believes there is an immediate clear and present danger to the child(ren), that party may file a petition for special relief. The petition for special relief must be presented as a separate document headed "Petition for Special Relief." The petition shall conform to the requirements of Pa.R.C.P. No. 1915.15, as may be applicable, and must allege facts which clearly specify the clear and present danger to the welfare of the child(ren).

B. Upon filing the petition for special relief to the court for consideration of the allegations, the court shall either:

1. refer the petition to the Custody Hearing Officer for an immediate ex parte hearing, which shall be held within two (2) business days of the presentation of the petition to the court; or,

2. direct that an initial conference be scheduled before the Custody Hearing Officer pursuant to Rule 17CV1915.4-1; or,

3. if it is ascertained that an initial conference has already been held and an interim order already issued under Rule 17CV1915.4-3:

- a. direct that the Custody Hearing Officer consider the petition for special relief as a reconsideration request under Rule 17CV1915.4-2; or
- b. direct that the issues raised be disposed of at the pre-trial conference or trial.

C. If an ex parte hearing is ordered, the party seeking special relief must appear before the Custody Hearing Officer at the time scheduled for the ex parte hearing to present testimony. The Custody Hearing Officer shall determine if probable cause exists to believe there is an immediate clear and present danger to the welfare of the child(ren) involved.

D. Upon making a determination that ex parte relief is warranted, the Custody Hearing Officer shall forward to the court for approval a recommended temporary emergency order, which will include a provision scheduling a hearing before the Court, to be held within ten (10) business days of the ex parte hearing. Prior to the hearing before the Court, the petition for emergency custody relief and the temporary emergency order containing notice of the 10-day hearing shall be served on the opposing party by the petitioning party in the same manner as original process. In addition to service on the opposing party, the petitioner shall make reasonable efforts to provide a copy of the documents to any attorney whom the petitioning party reasonably believes may represent the interests of the other party. Upon making a determination that ex parte relief is not warranted, the custody hearing officer shall forward to the Court for approval a recommended order denying the petition for special relief. Such order may schedule the matter for disposition at: an initial conference under Rule 17CV1915.4-1; as a reconsideration request under Rule 17CV1915.4-2; or, if already scheduled for a pre-trial conference or trial on other issues, direct that the emergency issues be determined with all other issues at the pre-trial conference or trial.

[Pa.B. Doc. No. 15-2172. Filed for public inspection December 11, 2015, 9:00 a.m.]

UNION COUNTY Judicial Administration; 15 688

Order

And Now, this 23rd day of November, 2015, the 17th Judicial District Local Rule of Judicial Administration 17CV1915.3 through 17CV1915.13-1 is adopted for use in Union County, Court of Common Pleas of the 17th Judicial District, Commonwealth of Pennsylvania, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The 17th Judicial District Court Administrator is Ordered and Directed to do the following:

1) File one (1) certified copy of this Order and Rule with the Administrative Office of the Pennsylvania Courts.

2) Forward two (2) certified copies of this Order and Rule and a computer diskette containing the text of the Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Forward one (1) certified copy of this Order and Rule to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.

4) Copies shall be kept continuously available for public inspection in the Office of the Union County Prothonotary.

By the Court

MICHAEL T. HUDOCK,
President Judge

CUSTODY MATTERS

17CV1915.3. Custody Petitions and Procedure.

A. All counts in a divorce complaint and all petitions relating to custody, partial custody, or visitation, of minor children shall be processed in accordance with 17CV1915.3, et seq.

B. As part of the pre-trial procedures, the Court Administrator shall refer all custody-related complaints or petitions, other than a petition for special relief, to mediation at the Susquehanna Valley Mediation Service and the Kids First program.

C. Upon receipt of notice that the parties did not resolve the matter through mediation and that the parties have attended Kids First, the Court shall refer the matter to the Custody Hearing Officer for the scheduling of the initial conference with the parties and their respective counsel.

D. Any pleading which requests the scheduling of a proceeding and also requests entry of a temporary order to maintain de facto custody provisions pending mediation or the initial conference shall set forth with specificity those facts supporting the request for the temporary custody order pending mediation or the initial conference.

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B. Custody Hearing Officer—Not a Witness

To facilitate the conference process and encourage frank, open and meaningful exchanges between the par-

ties and their respective counsel, statements made by the parties, or their witnesses, made in a conference before the Custody Hearing Officer shall not be admissible as evidence in a Custody Trial before the Court.

The Custody Hearing Officer shall not be a witness for or against any party in a Custody Trial before the Court or in any other proceeding whatsoever absent Court Order.

17CV1915.4-1. Initial Conference.

A. The parties and their respective counsel shall appear at the initial conference before the Custody Hearing Officer.

B. If the parties reach an agreement resolving all of the issues raised, the Custody Hearing Officer shall forward an order to the Court for approval setting forth the terms of such agreement.

C. If the parties do not reach an agreement resolving all issues raised, the Custody Hearing Officer will conduct a non-record proceeding to establish a recommended interim order as to legal and physical custody which will govern pending further proceedings. This non-record proceeding may be a conference with attorneys, conference with parties, and/or the taking of testimony under oath and receipt of other evidence and arguments of counsel as the hearing officer deems appropriate, based upon the particular issues raised.

D. At the conclusion of the proceeding, the Custody Hearing Officer shall: 1) give the parties oral notice of the essential aspects of the recommended interim order and reasons for the recommendation; 2) make an initial determination as to the use of psychological evaluations or home studies, or the appointment of a Guardian ad Litem in accordance with 17CV1915.5.

17CV1915.4-2. Exceptions and Reconsideration of Interim Order.

A. No exceptions may be filed to an interim order entered in a custody action. Any matter not stipulated to at the initial conference may be reviewed at the pre-trial conference or resolved at trial.

B. Should a significant change in circumstances arise after entry of an interim order and before the pre-trial conference necessitating a modification of the interim order, which modification cannot be amicably agreed upon pending the pretrial conference, either party may file a motion for reconsideration of the interim order, setting forth all pertinent facts in support thereof or verified by the filing party. The Court Administrator shall refer such motion to the hearing officer. Based on the allegations of the motion, the hearing officer may take any one or more of the following actions deemed appropriate under the circumstances: 1) enter an order summarily denying the motion; or 2) hold a telephone or other conference with counsel for both parties; or 3) after providing the opposing party an opportunity to respond, enter a modified interim order; or 4) direct that the matter be resolved at the pre-trial conference.

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17CV1915.5. Physical/Mental/Psychological Examinations and Home Studies.

A. Upon agreement of the parties at the initial conference, the Custody Hearing Officer may include in the recommended interim order that the Court appoint a Guardian ad Litem pursuant to Pa.R.C.P. 1915.11-2 and/or a directive that the parties obtain physical, mental or psychological examinations and/or home studies, prior to the date of the pre-trial conference or trial and may establish a date by which the parties must make the initial arrangements.

B. Any request by the parties for evaluations made after the initial conference and not made at the pre-trial conference or entered into by stipulation must be made by Petition for Rule to Show Cause alleging specific facts and reasons for the request.

C. Unless otherwise directed by the Court or Custody Hearing Officer or agreed upon by the parties, the expense of any evaluation shall be borne initially by the party requesting the evaluation and shall be paid in accordance with Pa.R.C.P. No. 1915.8. A final allocation of the expense may be made by the Court upon entry of an order or decision rendered on any issues raised in the proceeding.

D. Any evaluation filed with the Court shall not be available for public inspection and shall be sealed by the prothonotary.

17CV1915.13-1. Petition for Special Relief. Ex Parte Hearing and Temporary Order.

A. Where a party believes there is an immediate clear and present danger to the child(ren), that party may file a petition for special relief. The petition for special relief must be presented as a separate document headed "Petition for Special Relief." The petition shall conform to the requirements of Pa.R.C.P. No. 1915.15, as may be applicable, and must allege facts which clearly specify the clear and present danger to the welfare of the child(ren).

B. Upon filing the petition for special relief to the court for consideration of the allegations, the court shall either:

1. refer the petition to the Custody Hearing Officer for an immediate ex parte hearing, which shall be held within two (2) business days of the presentation of the petition to the court; or,
2. direct that an initial conference be scheduled before the Custody Hearing Officer pursuant to Rule 17CV1915.4-1; or,
3. if it is ascertained that an initial conference has already been held and an interim order already issued under Rule 17CV1915.4-3:

- a. direct that the Custody Hearing Officer consider the petition for special relief as a reconsideration request under Rule 17CV1915.4-2; or
- b. direct that the issues raised be disposed of at the pre-trial conference or trial.

C. If an ex parte hearing is ordered, the party seeking special relief must appear before the Custody Hearing Officer at the time scheduled for the ex parte hearing to

present testimony. The Custody Hearing Officer shall determine if probable cause exists to believe there is an immediate clear and present danger to the welfare of the child(ren) involved.

D. Upon making a determination that ex parte relief is warranted, the Custody Hearing Officer shall forward to the court for approval a recommended temporary emergency order, which will include a provision scheduling a hearing before the Court, to be held within ten (10) business days of the ex parte hearing. Prior to the hearing before the Court, the petition for emergency custody relief and the temporary emergency order containing notice of the 10-day hearing shall be served on the opposing party by the petitioning party in the same manner as original process. In addition to service on the opposing party, the petitioner shall make reasonable

efforts to provide a copy of the documents to any attorney whom the petitioning party reasonably believes may represent the interests of the other party. Upon making a determination that ex parte relief is not warranted, the custody hearing officer shall forward to the Court for approval a recommended order denying the petition for special relief. Such order may schedule the matter for disposition at: an initial conference under Rule 17CV1915.4-1; as a reconsideration request under Rule 17CV1915.4-2; or, if already scheduled for a pre-trial conference or trial on other issues, direct that the emergency issues be determined with all other issues at the pre-trial conference or trial.

[Pa.B. Doc. No. 15-2173. Filed for public inspection December 11, 2015, 9:00 a.m.]

PROPOSED RULEMAKING

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CH. 680a]

Saigon 5 Card; Table Game Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), proposes to add Chapter 680a (relating to Saigon 5 Card) to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

This proposed rulemaking will add a new table game to the compliment of games available for play in this Commonwealth.

Explanation

Section 680a.1 (relating to definitions) contains the definitions used throughout Chapter 680a. Section 680a.2 (relating to Saigon 5 Card table physical characteristics) contains the table physical characteristics. Section 680a.3 (relating to cards; number of decks) details the number of cards and decks used to play the game. Section 680a.4 (relating to opening of the table for gaming) addresses the opening of the table for gaming. Section 680a.5 (relating to shuffle and cut of the cards) details how the cards are to be shuffled and cut. Section 680a.6 (relating to Saigon 5 Card rankings) specifies the ranking of the hands. Section 680a.7 (relating to wagers) outlines the permissible wagers. Sections 680a.8—680a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) detail the procedures for dealing the cards. Section 680a.11 (relating to procedures for completion of each round of play) addresses how the round of play is to be completed. Section 680a.12 (relating to payout odds; Envy Bonus; rate of progression) outlines the permissible payout odds for winning wagers. Section 680a.13 (relating to irregularities) addresses irregularities in play.

In Saigon 5 Card, the hold percentage for the optional Bonus Wager is 7.97%.

Fiscal Impact

Commonwealth. The Board does not expect that this proposed rulemaking will have fiscal impact on the Board or other Commonwealth agencies. Updates to Rules Submission forms and internal control procedures will be reviewed by existing Board staff.

Political subdivisions. This proposed rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This proposed rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Saigon 5 Card within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and may need to purchase new equipment. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This proposed rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

If a certificate holder selects different options for the play of table games, the certificate holder will be required to submit an updated Rules Submission form reflecting the changes. These forms are available and submitted to Board staff electronically.

Effective Date

The proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Susan A. Yocum, Senior Counsel, Attention: Regulation #125-196 Public Comment, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060.

Contact Person

The contact person for questions about this proposed rulemaking is Susan Yocum, Senior Counsel, (717) 346-8300.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on November 23, 2015, the Board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at www.gamingcontrolboard.pa.gov.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

WILLIAM H. RYAN, Jr.,
Chairperson

Fiscal Note: 125-196. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 680a. SAIGON 5 CARD

Sec.	
680a.1.	Definitions.
680a.2.	Saigon 5 Card table physical characteristics.
680a.3.	Cards; number of decks.
680a.4.	Opening of the table for gaming.
680a.5.	Shuffle and cut of the cards.
680a.6.	Saigon 5 Card rankings.

- 680a.7. Wagers.
- 680a.8. Procedures for dealing the cards from a manual dealing shoe.
- 680a.9. Procedures for dealing the cards from the hand.
- 680a.10. Procedures for dealing the cards from an automated dealing shoe.
- 680a.11. Procedures for completion of each round of play.
- 680a.12. Payout odds; Envy Bonus; rate of progression.
- 680a.13. Irregularities.

§ 680a.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Ante Wager—The wager that a player is required to make prior to any cards being dealt to compete against the dealer's hand.

Bonus Wager—An optional wager a player may make to compete against a posted payout table.

Qualify or qualifies—When the dealer's three-card hand or the player's three-card hand made from the five cards dealt to the dealer and the player has a total value of 10, 20 or 30.

Showdown hand—The two-card hand of the player or the dealer made from the five cards dealt to the player or the dealer.

§ 680a.2. Saigon 5 Card table physical characteristics.

(a) Saigon 5 Card shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Saigon 5 Card table shall be submitted to the Bureau of Gaming Operations in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate betting area designated for the placement of the Ante Wager for each player.
- (3) Two separate areas for each player for the placement of the player's three-card qualifying hand and the player's two-card showdown hand.
- (4) If the certificate holder offers the optional Bonus Wager authorized under § 680a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Bonus Wager for each player.
- (5) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Saigon 5 Card table.
- (6) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 680a.12(d) relating to payout odds; Envy Bonus; rate of progression, inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Saigon 5 Card table.

(c) Each Saigon 5 Card table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of

the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Saigon 5 Card table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 680a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Saigon 5 Card shall be played with one deck of cards that are identical in appearance and one cover card. The deck of cards used to play Saigon 5 Card must include one joker. A certificate holder may use decks that are manufactured with two jokers provided that only one joker is used for the play of the game.

(b) If an automated card shuffling device is utilized, Saigon 5 Card may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(3) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play.

(4) The cards from only one deck are placed in the discard rack at any given time.

(c) The decks of cards used in Saigon 5 Card shall be changed at least every:

(1) Four hours if the cards are dealt by hand.

(2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

§ 680a.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 680a.5 (relating to shuffle and cut of the cards).

(d) If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c).

(e) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 680a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were preshuffled in accordance with

§ 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

(c) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 680a.8, § 680a.9 or § 680a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were reshuffled, cut the cards in accordance with subsection (d).

(d) If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(e) After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(f) If there is no gaming activity at a Saigon 5 Card table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 680a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(g) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (d)—(f) do not apply.

§ 680a.6. Saigon 5 Card rankings.

(a) The value of the cards in each deck shall be as follows:

(1) Any card from 2 to 9 shall have its face value.

(2) Any 10, jack, queen or king shall have a value of 10.

(3) Any ace shall have a value of 1.

(4) A joker has a value of 3, 6 or 9.

(b) The Point Count of a showdown hand shall be a number from 1 to 10, with 10 being the highest rank and 1 being the lowest rank, determined by totaling the value of the cards in the hand. If the total value of the cards in a showdown hand is greater than 10, 10 will be subtracted from the number. For example:

(1) A showdown hand composed of an ace and 4 has a Point Count of 5.

(2) A showdown hand composed of a 10 and a jack has a value of 20 but a Point Count of only 10 since 10 is subtracted from 20.

(c) For purposes of the Bonus Wager, a joker may be used as an ace in any hand, other than the royal flush with no joker, or may be used to complete a royal flush with a joker, straight flush, flush or a straight. An ace may be used to complete a straight flush or a straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, a queen, king, ace, 2 and 3). The permissible Poker hands shall be:

(1) Five aces, which is a hand consisting of four aces and a joker.

(2) A royal flush with no joker, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

(3) A royal flush with a joker, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit, with a joker used as one of the cards.

(4) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking.

(5) A four-of-a-kind, which is a hand consisting of four cards of the same rank.

(6) A full house, which is a hand consisting of a three-of-a-kind and a pair.

(7) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(8) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

(9) A three-of-a-kind, which is a hand consisting of three cards of the same rank.

(10) Two pair, which is a hand containing two pairs.

§ 680a.7. Wagers.

(a) Wagers at Saigon 5 Card shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Saigon 5 Card table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 680a.8, § 680a.9 or § 680a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated

dealing shoe) and may not be increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of Saigon 5 Card:

(1) A player may compete solely against the dealer by placing an Ante Wager.

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Saigon 5 Card table the option to make an additional Bonus Wager which shall win if the player's five cards contain two pair or better as described in § 680a.6(c) (relating to Saigon 5 Card rankings).

(e) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 680a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 680a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce "no more bets." To deal the cards, the dealer shall remove each card from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and place it on the appropriate area of the layout with the opposite hand.

(c) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 680a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have five cards.

(d) After five cards have been dealt to each player and the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

(e) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(f) If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(g) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 53 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 680a.9. Procedures for dealing the cards from the hand.

(a) If the cards are dealt from the dealer's hand, the following requirements shall be observed:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 680a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce "no more bets."

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed an Ante Wager in accordance with § 680a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have five cards. All cards shall be dealt face down.

(c) After five cards have been dealt to each player and the dealer, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 53 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 680a.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures required under § 680a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce "no more bets."

(b) The dealer shall deliver the first stack of five cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante

Wager in accordance with § 680a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of five cards face down to the area designated for the placement of the dealer's cards.

(c) After each stack of five cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 53 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 680a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 680a.8, § 680a.9 or § 680a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at Saigon 5 Card shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(2) Each player shall keep his five cards in full view of the dealer at all times.

(b) Each player shall examine his cards and shall set them into two hands. If any three of the player's five cards:

(1) Have a combined total value of 10, 20 or 30, the player's hand qualifies and the player shall set those three cards as the player's three-card hand. The remaining two cards shall be set as the player's two-card showdown hand. For example, if a player's hand contains a joker, 8, 6, 5 and 2, the player's three-card hand would contain the joker (used as a 9 value card), the 5 and the 6 for a total value of 20, which would qualify, and the 8 and 2 would compose the player's showdown hand with a Point Count of 10.

(2) Does not have a combined total value of 10, 20 or 30, the player's hand does not qualify and the player may place any three cards as the player's three-card hand and the remaining two cards in the player's two-card showdown hand.

(c) After each player has set his two hands, the dealer shall then reveal and arrange the dealer's cards. If any three of the dealer's five cards:

(1) Have a combined total value of 10, 20 or 30, the dealer's hand qualifies and the dealer shall set those three cards as the three-card hand. The remaining two cards shall be set as the dealer's two-card showdown hand.

(2) Does not have a combined total value of 10, 20 or 30, the dealer's hand does not qualify.

(d) After the dealer's cards are turned face up and set, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player. The dealer shall turn the player's three-card hand face up on the layout and compare the dealer's three-card hand to the player's three-card hand. If the dealer's three-card hand:

(1) Does not qualify and the player's three-card hand:

(i) Does not qualify, the dealer shall return the player's Ante Wager.

(ii) Qualifies, the dealer shall reveal the player's showdown hand. If the player's two-card showdown hand:

(A) Has a Point Count of 1-4 or 6-10, the dealer shall pay the winning Ante Wager in accordance with § 680a.12(a) (relating to payout odds; Envy Bonus; rate of progression).

(B) Has a Point Count of 5, the dealer shall pay the winning Ante Wager in accordance with § 680a.12(b).

(2) Qualifies, and the player's three-card hand:

(i) Does not qualify, the dealer shall collect the player's losing Ante Wager.

(ii) Qualifies, the dealer shall reveal the player's showdown hand and compare it to the dealer's showdown hand. If the dealer's showdown hand:

(A) Is higher in Point Count than the Point Count of the player's showdown hand, the dealer shall collect the player's losing Ante Wager.

(B) Is lower in Point Count than the Point Count of the player's showdown hand, the dealer shall pay the winning Ante Wager in accordance with § 680a.12(a) if the player's showdown hand had a Point Count 1-4 or 6-10 and in accordance with § 680a.12(b) if the player's showdown hand had a Point Count of 5.

(C) Is equal in Point Count with the Point Count of the player's showdown hand, the dealer shall return the player's Ante Wager.

(e) After settling the player's Ante Wager, the dealer shall settle any optional Bonus Wager by reconfiguring the player's five cards to form the highest ranking Poker hand. If the player's hand:

(1) Does not contain two pair or better, as provided in § 680a.6(c) (relating to Saigon 5 Card rankings), the dealer shall collect the losing Bonus Wager.

(2) Contains two pair or better, the dealer shall pay the winning Bonus Wager in accordance with § 680a.12(c).

(f) After all wagers of the player have been settled, the dealer shall remove any remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 680a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay winning Ante Wagers at odds of 1 to 1 if the player's showdown hand had a Point Count 1-4 or 6-10.

(b) A certificate holder shall pay winning Ante Wagers at odds of 1 to 2 if the player's showdown hand had a Point Count 5.

(c) A certificate holder shall pay out winning Bonus Wagers as provided in the following payout table:

<i>Hand</i>	<i>Paytable A</i>
Five aces	5,000 to 1
Royal flush—no joker	1,000 to 1
Royal flush—with a joker	250 to 1
Straight flush	100 to 1
Four-of-a-kind	50 to 1
Full house	20 to 1
Flush	15 to 1
Straight	12 to 1
Three-of-a-kind	10 to 1
Two pair	8 to 1

(d) Notwithstanding the payout odds in subsections (a)—(c), if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submissions), the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

§ 680a.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

(c) If a player or the dealer is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(e) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void, all wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

(f) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated card shuffling device or automated dealing

shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

[Pa.B. Doc. No. 15-2174. Filed for public inspection December 11, 2015, 9:00 a.m.]

[58 PA. CODE CH. 679a]

Three Card Prime; Table Game Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), proposes to add Chapter 679a (relating to Three Card Prime) to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

This proposed rulemaking will add a new table game to the compliment of games available for play in this Commonwealth.

Explanation

Section 679a.1 (relating to definitions) contains the definitions used throughout Chapter 679a. Section 679a.2 (relating to Three Card Prime table physical characteristics) contains the table physical characteristics. Section 679a.3 (relating to cards; number of decks) details the number of cards and decks used to play the game. Section 679a.4 (relating to opening of the table for gaming) addresses the opening of the table for gaming. Section 679a.5 (relating to shuffle and cut of the cards) details how the cards are to be shuffled and cut. Section 679a.6 (relating to Three Card Prime rankings) specifies the ranking of the hands. Section 679a.7 (relating to wagers) outlines the permissible wagers. Sections 679a.8—679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) detail the procedures for dealing the cards. Section 679a.11 (relating to procedures for completion of each round of play) addresses how the round of play is to be completed. Section 679a.12 (relating to payout odds; Envy Bonus; rate of progression) outlines the permissible payout odds for winning wagers. Section 679a.13 (relating to irregularities) addresses irregularities in play.

In Three Card Prime, the hold percentages/house edge for the optional side wagers are as follows: Bad Beat Bonus Wager—between 2.9% and 3.03%; Prime Wager—3.62%; Pair Bonus Wager—between 3.18% and 5.83%; and All Six Bonus Wager—between 6.74% and 18.10%.

Fiscal Impact

Commonwealth. The Board does not expect that this proposed rulemaking will have fiscal impact on the Board or other Commonwealth agencies. Updates to Rules Submission forms and internal control procedures will be reviewed by existing Board staff.

Political subdivisions. This proposed rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This proposed rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Three Card Prime within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and may need to purchase new equipment. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This proposed rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

If a certificate holder selects different options for the play of table games, the certificate holder will be required to submit an updated Rules Submission form reflecting the changes. These forms are available and submitted to Board staff electronically.

Effective Date

The proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Susan A. Yocum, Senior Counsel, Attention: Regulation #125-195 Public Comment, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060.

Contact Person

The contact person for questions about this proposed rulemaking is Susan Yocum, Senior Counsel, (717) 346-8300.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on November 23, 2015, the Board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at www.gamingcontrolboard.pa.gov.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

WILLIAM H. RYAN, Jr.,
Chairperson

Fiscal Note: 125-195. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 679a. THREE CARD PRIME

Sec.	Definitions.
679a.1.	Three Card Prime table physical characteristics.
679a.2.	Cards; number of decks.
679a.3.	Opening of the table for gaming.
679a.4.	Shuffle and cut of the cards.
679a.5.	Three Card Prime rankings.
679a.6.	Wagers.
679a.7.	Procedures for dealing the cards from a manual dealing shoe.
679a.8.	Procedures for dealing the cards from the hand.
679a.9.	Procedures for dealing the cards from an automated dealing shoe.
679a.10.	Procedures for completion of each round of play.
679a.11.	Payout odds; Envy Bonus; rate of progression.
679a.12.	Irregularities.
679a.13.	

§ 679a.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

All-Six Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Ante Wager—The wager that a player is required to make prior to any cards being dealt to compete against the dealer's hand.

Hand—The Three Card Prime hand that is held by each player and the dealer after the cards are dealt.

Pair Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Play Wager—An additional wager that a player shall make if the player opts to remain in competition against the dealer after the player reviews his hand.

Prime Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Qualify or qualifies—When the dealer's hand is a queen high or better.

§ 679a.2. Three Card Prime table physical characteristics.

(a) Three Card Prime shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Three Card Prime table shall be submitted to the Bureau of Gaming Operations in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) Three separate betting areas designated for the placement of Ante and Play Wagers for each player.
- (3) If the certificate holder offers the optional Prime Wager authorized under § 679a.7(d)(2) (relating to wagers), the Pair Bonus Wager authorized under § 679a.7(d)(3) or the All-Six Bonus Wager authorized under § 679a.7(d)(4), a separate area designated for the placement of each of the wagers for each player.

(4) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder and the phrase "Dealer Qualifies with a Queen or Ante Pushes and Play Wins" and "Player wins ties." If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Three Card Prime table.

(5) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 679a.12(h) (relating to payout odds; Envy Bonus; rate of progression), inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Three Card Prime table.

(c) Each Three Card Prime table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Three Card Prime table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 679a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Three Card Prime shall be played with one deck of cards that are identical in appearance and one cover card.

(b) If an automated card shuffling device is utilized, Three Card Prime may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(3) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play.

(4) The cards from only one deck are placed in the discard rack at any given time.

(c) The decks of cards used in Three Card Prime shall be changed at least every:

(1) Four hours if the cards are dealt by hand.

(2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

§ 679a.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed

thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 679a.5 (relating to shuffle and cut of the cards).

(d) If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c).

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 679a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

(c) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were reshuffled, cut the cards in accordance with subsection (d).

(d) If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(e) After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(f) If there is no gaming activity at a Three Card Prime table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures

in § 679a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(g) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (d)—(f) do not apply.

§ 679a.6. Three Card Prime rankings.

(a) The rank of the cards used in Three Card Prime, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight with a 2 and 3 but may not be combined with any other sequence of cards (for example, king, ace and 2). All suits shall be equal in rank.

(b) The permissible Poker hands in the game of Three Card Prime, in order of highest to lowest rank, shall be:

(1) A mini-royal, which is a hand consisting of an ace, king and queen of the same suit.

(2) A straight flush, which is a hand consisting of three cards of the same suit in consecutive ranking, other than a mini-royal, with a king, queen and jack being the highest ranking straight flush and an ace, 2 and 3 being the lowest ranking straight flush.

(3) A three-of-a-kind, which is a hand consisting of three cards of the same rank with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind.

(4) A straight, which is a hand consisting of three cards of more than one suit and of consecutive rank, with an ace, king and queen being the highest ranking straight and an ace, 2 and 3 being the lowest ranking straight.

(5) A flush, which is a hand consisting of three cards of the same suit, regardless of rank.

(6) A pair, which is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

(c) When comparing two Poker hands that are of identical rank under subsection (b), or that contain none of the hands in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not contained in the other hand, shall be considered the higher ranking hand. If the hands are of equal rank after the application of this section, the hands shall be considered a tie.

(d) If a certificate holder offers the All-Six Bonus Wager, the rank of the hands shall be:

(1) A six-card royal flush, which is a hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.

(2) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

(3) A straight flush, which is a hand consisting of five cards of the same suit, other than a royal flush, in consecutive ranking.

(4) A four-of-a-kind, which is a hand consisting of four cards of the same rank, regardless of suit.

(5) A full house, which is a hand consisting of three-of-a-kind and a pair.

(6) A flush, which is a hand consisting of five cards of the same suit.

(7) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

(8) A three-of-a-kind, which is a hand consisting of three cards of the same rank, regardless of suit.

§ 679a.7. Wagers.

(a) Wagers at Three Card Prime shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Three Card Prime table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers, except the Play Wager, shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedures in § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 679a.11(b) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

(d) The following wagers may be placed in the game of Three Card Prime:

(1) A player may compete solely against the dealer’s Three Card Prime hand by placing an Ante Wager then a Play Wager, in an amount equal to the player’s Ante Wager, in accordance with § 679a.11(b).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Three Card Prime table the option to make an additional Prime Wager which shall win if all three of player’s cards are of the same color.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Prime table the option to make an additional Pair Bonus Wager, which shall win if the player’s hand contains a pair or better as provided in § 679a.6(b) (relating to Three Card Prime rankings).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Prime table the option to make an additional All-Six Bonus Wager, which shall win if the player’s three cards and the dealer’s three cards form a three-of-a-kind or better as provided in § 679a.6(d).

(e) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 679a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required

under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce “no more bets.” To deal the cards, the dealer shall remove each card from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and place it on the appropriate area of the layout with the opposite hand.

(c) Starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. If a player has placed a Pair Bonus Wager, the dealer shall deal an additional card to the area of the layout for the player’s fourth card. All cards shall be dealt face down.

(d) After three cards have been dealt to each player and the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (e), place the stub in the discard rack without exposing the cards.

(e) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(f) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(g) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 679a.9. Procedures for dealing the cards from the hand.

(a) If the cards are dealt from the dealer’s hand, the following requirements shall be observed:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce “no more bets.”

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. If a player has placed a Pair Bonus Wager, the dealer shall deal an additional card to the area of the layout for the player’s fourth card. All cards shall be dealt face down.

(c) After three cards have been dealt to each player and the dealer, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 679a.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures required under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce “no more bets.”

(b) The dealer shall deliver the first stack of three cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the dealer’s cards.

(c) After each stack of three cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards. If a player has placed a Pair Bonus Wager, after removing the stub from the automated dealing shoe, the dealer shall deal an additional card face down to the area of the layout for the player’s fourth card. Except as provided in

subsection (d), the dealer shall then place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(g) Notwithstanding the requirements in subsections (b) and (c), if a certificate holder is utilizing an automated dealing shoe that automatically reshuffles the cards, the dealer may distribute four cards to each player and the dealer provided that as the cards are dispensed and distributed to each player:

(1) The top card of a stack dealt to a player who placed a Pair Bonus Wager shall be moved off the top of the stack and placed face down on the table layout until it is revealed by the dealer in accordance with § 679a.11(d)(2) (relating to procedures for completion of each round of play).

(2) The top card of a stack dealt to a player who did not place a Pair Bonus Wager and to the dealer shall be collected and placed face down in the discard rack.

§ 679a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at Three Card Prime shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(2) Each player shall keep his three cards in full view of the dealer at all times.

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to make a Play Wager in an amount equal to the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player has placed an Ante Wager and an optional Prime, Pair Bonus or All-Six Bonus Wager but does not make a Play Wager, the player shall forfeit the Ante Wager but does not forfeit the Prime, Pair Bonus or All-Six Bonus Wagers.

(c) After each player who has placed an Ante Wager has either placed a Play Wager on the designated area of the layout or forfeited his Ante Wager, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Prime, Pair Bonus or All-Six Bonus Wager, and place the cards in the discard rack. The dealer shall then reveal the dealer's cards and place the cards so as to form the highest possible ranking Three Card Prime hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the three cards of each player face up on the layout.

(2) The dealer shall examine the cards of the player and form the highest possible ranking Three Card Prime hand for each player.

(3) If the dealer's highest ranking Three Card Prime hand:

(i) Does not qualify, the dealer shall return each player's Ante Wager and pay the player's Play Wager in accordance with § 679a.12(a) (relating to payout odds; Envy Bonus; rate of progression).

(ii) Qualifies, and the player's highest ranking Three Card Prime hand is higher than or equal to the dealer's hand, the dealer shall pay the winning Ante Wager in accordance with § 679a.12(a) and the player's winning Play Wager in accordance with § 679a.12(b).

(iii) Qualifies, and the player's hand contains a flush or lower and is lower than the dealer's hand, the dealer shall collect the player's losing Ante and Play Wagers.

(iv) Qualifies, and the player's hand contains a straight or better and is lower than the dealer's hand, the dealer shall collect the player's losing Ante Wager and pay the player a Bad Beat Bonus on the player's Play Wager in accordance with § 679a.12(c).

(d) After settling the player's Ante and Play Wagers, the dealer shall settle any optional wagers as follows:

(1) For the Prime Wager, if all three of the player's cards:

(i) Are not the same color, the dealer shall collect the losing Prime Wager.

(ii) Are of the same color, or if all three of the player's cards are the same color and all three of the dealer's cards are the same color as the player's three cards, the winning Prime Wager shall be paid out in accordance with § 679a.12(d).

(2) For the Pair Bonus Wager, if the player's hand:

(i) Does not contain a pair or better, the dealer shall collect the losing Pair Bonus Wager.

(ii) Contains a pair or better, the dealer shall reveal the fourth card dealt to the player. If the fourth card dealt to the player:

(A) Is not a 2, the dealer shall pay the winning Pair Bonus Wager in accordance with § 679a.12(e).

(B) Is a 2, the dealer shall pay the winning Pair Bonus Wager in accordance with § 679a.12(f).

(3) For the All-Six Bonus Wager, the dealer shall combine the player's three cards and the dealer's three cards to form the highest ranking six-card hand as provided in § 679a.6(d) (relating to Three Card Prime rankings). If the hand:

(i) Does not contain a three-of-a-kind or better, the dealer shall collect the losing All-Six Bonus Wager.

(ii) Contains a three-of-a-kind or better, the dealer shall pay the winning All-Six Bonus Wager in accordance with § 679a.12(g).

(e) After all wagers of the player have been settled, the dealer shall remove any remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 679a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay winning Ante Wagers at odds of 1 to 1 and shall pay Play Wagers when a dealer does not qualify at odds of 1 to 1.

(b) A certificate holder shall pay winning Play Wagers, when the dealer's hand qualifies, in accordance with the following payout table:

<i>Hand</i>	<i>Payout</i>
Mini-royal flush	10 to 1
Straight flush	6 to 1
Three-of-a-kind	5 to 1
Straight	2 to 1
Flush or lower	1 to 1

(c) A certificate holder shall pay a Bad Beat Bonus on the player's Play Wager in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Straight flush	12 to 1	6 to 1
Three-of-a-kind	10 to 1	5 to 1
Straight	4 to 1	2 to 1

(d) A certificate holder shall pay out winning Prime Wagers at the odds in the following payout table:

<i>Hand</i>	<i>Payout</i>
Same color player and dealer hand	4 to 1
Same color player hand	3 to 1

(e) A certificate holder shall pay out winning Pair Bonus Wagers, in which the player's fourth card was not a 2, as provided in the following payout table:

<i>Hand</i>	<i>Payout</i>
Mini-royal flush	50 to 1
Straight flush	40 to 1
Three-of-a-kind	30 to 1
Straight	6 to 1
Flush	3 to 1
Pair	1 to 1

(f) A certificate holder shall pay out winning Pair Bonus Wagers, in which the player's fourth card was a 2, as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Mini-royal flush	100 to 1	75 to 1	75 to 1	75 to 1
Straight flush	80 to 1	60 to 1	50 to 1	50 to 1
Three-of-a-kind	60 to 1	45 to 1	40 to 1	40 to 1
Straight	12 to 1	10 to 1	8 to 1	8 to 1
Flush	6 to 1	5 to 1	4 to 1	4 to 1
Pair	1 to 1	2 to 1	2 to 1	1 to 1

(g) A certificate holder shall pay out winning All-Six Bonus Wagers as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Royal flush	1,000 to 1	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1	100 to 1
Full house	25 to 1	25 to 1	20 to 1
Flush	20 to 1	15 to 1	15 to 1
Straight	10 to 1	10 to 1	9 to 1
Three-of-a-kind	5 to 1	5 to 1	8 to 1

<i>Hand</i>	<i>Paytable D</i>	<i>Paytable E</i>
Six-card royal flush—diamonds		200,000 to 1
Six-card royal flush—hearts, spades or clubs		20,000 to 1
Royal flush	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1
Four-of-a-kind	100 to 1	50 to 1
Full house	20 to 1	20 to 1
Flush	15 to 1	15 to 1
Straight	10 to 1	10 to 1
Three-of-a-kind	7 to 1	5 to 1

(h) Notwithstanding the payout odds in subsections (a)—(g), if specified in its Rules Submission form filed in accordance with § 601a.2, the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. However, if a certificate holder is offering the All-Six Bonus Wager and selects payable E, the aggregate payout limit established may not include the payout for the six-card royal flush.

§ 679a.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

(c) If a player or the dealer is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If one or more of the dealer's cards is inadvertently exposed prior to the dealer revealing his cards in accord-

ance with § 679a.11(c) (relating to procedures for completion of each round of play), all hands shall be void, all Ante and Play Wagers shall be returned to the players and the cards shall be reshuffled, provided that if any player placed a Prime, Pair Bonus or All-Six Bonus Wager, those wagers shall be settled in accordance with § 679a.11(d).

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void, all wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated card shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

[Pa.B. Doc. No. 15-2175. Filed for public inspection December 11, 2015, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 24, 2015.

Under section 503.E of the Department of Banking and Securities Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-23-2015	Covenant Interim Bank Doylestown Bucks County	Approved
	The purpose of Covenant Interim Bank, Doylestown, is to merge with Covenant Bank, Doylestown, to facilitate the proposed reorganization of Covenant Bank into a bank holding company structure whereby Covenant Bank will become the wholly-owned subsidiary of Covenant Financial, Inc., a new holding company in formation.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-12-2015	West Milton State Bank West Milton Union County	397 Point Township Drive Northumberland Northumberland County	Opened
11-23-2015	PeoplesBank, A Codorus Valley Company York York County	One Masonic Drive Elizabethtown Lancaster County	Approved

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-23-2015	Hidden River Credit Union Pottsville Schuylkill County	Approved
	Application for approval to merge Schuylkill Federal Credit Union, Pottsville, with and into Hidden River Credit Union, Pottsville.	

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 15-2176. Filed for public inspection December 11, 2015, 9:00 a.m.]

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 1, 2015.

Under section 503.E of the Department of Banking and Securities Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-1-2015	Bank of Bird-in-Hand Bird-in-Hand Lancaster County Application for approval to convert from a Pennsylvania State-chartered commercial bank to a Pennsylvania State-chartered stock savings bank.	Effective

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-30-2015	Juniata Valley Financial Corporation Mifflintown Juniata County Application for approval to acquire 100% of FNBPA Bancorp, Inc., Port Allegany, and thereby indirectly acquire 100% of The First National Bank of Port Allegany, Port Allegany.	Effective
12-1-2015	Beneficial Bancorp, Inc. Philadelphia Philadelphia County Application for approval to acquire 100% of Conestoga Bancorp, Inc., Chester Springs, and thereby indirectly acquire 100% of Conestoga Bank, Chester Springs.	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-30-2015	The Juniata Valley Bank Mifflintown Juniata County Merger of First National Bank of Port Allegany, Port Allegany, with and into The Juniata Valley Bank, Mifflintown. As a result of the merger, the following branch offices of First National Bank of Port Allegany became branch offices of The Juniata Valley Bank:	Effective
#7847	64 Main Street Port Allegany McKean County	52 West Mill Street Port Allegany McKean County
#7849	118 East Second Street Coudersport Potter County	
12-1-2015	Beneficial Bank Philadelphia Philadelphia County Application for approval to merge Conestoga Bank, Chester Springs, with and into Beneficial Bank, Philadelphia.	Filed

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-18-2015	Prudential Savings Bank Philadelphia Philadelphia County	1270 Township Line Road Drexel Hill Delaware County	Opened
6-1-2015	Orrstown Bank Shippensburg Cumberland County	2098 Spring Valley Road Lancaster Lancaster County	Opened

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-16-2015	PeoplesBank, A Codorus Valley Company York York County	One Market Way West York York County	Opened

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-16-2015	Prudential Savings Bank Philadelphia Philadelphia County	601 Morgan Avenue Drexel Hill Delaware County	Closed
11-13-2015	PeoplesBank, A Codorus Valley Company York York County	221 West Philadelphia Street York York County	Closed
11-20-2015	PeoplesBank, A Codorus Valley Company York York County	48 East Market Street York York County	Closed

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-30-2015	First Citizens Community Bank Mansfield Tioga County	<i>Into:</i> 1 Pearl Street Wellsboro Tioga County <i>From:</i> 11798 Route 6 (201 Weis Plaza) Wellsboro Tioga County	Filed

CREDIT UNIONS

No activity.

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 15-2177. Filed for public inspection December 11, 2015, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

I. NPDES Renewal Applications

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0057657 (Sewage)	Kendall-Crosslands STP 1109 E Baltimore Pike Kennett Square, PA 19348	Chester County Kennett Township	Unnamed Tributary to Bennetts Run (3-H)	Y

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062138 (Industrial Waste)	Airgas Specialty Products, Inc. 900 Delaware Avenue Palmerton, PA 18071	Carbon County Palmerton Borough	Aquashicola Creek (2-B)	Y
PA0064025 (Sewage)	KBM Region Authority 1056 Trescow Road Banks Township, PA 18237	Carbon County Banks Township	Unnamed Stream to Catawissa Creek (5-E)	N
PA0065048 (Sewage)	Nicholson Borough WWTP SR 2017 PO Box 324 Nicholson, PA 18846	Wyoming County Nicholson Township	Tunkhannock Creek (4-F)	Y

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0086185—SEW	Washington Township Authority 185 Manors Road Elizabethville, PA 17023	Dauphin County/ Washington Township	6-C/Wiconisco Creek	Y
PA0025381—SEW	Saxton Borough Municipal Authority 1002 Branch Street Saxton, PA 16678	Bedford County/ Saxton Borough & Liberty Township	11-D/Raystown Branch Juniata River	Y
PA0083488—SEW	Stonebridge Health & Rehab 102 Chandra Drive Duncannon, PA 17020	Perry County/ Penn Township & Wheatfield Township	7-A/UNT Little Juniata River	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0028983—SEW	McVeytown Borough Authority 10 North Queen Street PO Box 321 McVeytown, PA 17051	Mifflin County/ McVeytown Borough	12-A/Juniata River	Y
PA0037737—SEW	Elizabethville Area Authority 4154 North Route 225 Elizabethville, PA 17023	Dauphin County/ Washington Township	6-C/Wiconisco Creek	Y
PA0024457—SEW	Halifax Area Water & Sewer Authority PO Box 443 Halifax, PA 17032	Dauphin County/ Halifax Borough	6-C/Susquehanna River	Y
PA0261629—SEW	Robert J. Niner 99 Pine Tree Road New Oxford, PA 17350	Adams County/ Straban Township	7-F/UNT Beaverdam Creek	Y
PA0012998—IW	Atlas Minerals & Chemicals, Inc. 1227 Valley Road PO Box 38 Mertztown, PA 19539	Berks County/ Longswamp Township	2-C/Toad Creek	Y

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0112585 (Sewage)	Wagon Wheel Apartments 11 Hawk Lane Ulster, PA 18850	Bradford County Ulster Township	Unnamed Tributary to Susquehanna River (4-B)	Y
PA0113956 (Sewage)	Slabtown Wastewater Treatment Plant E Lake Glory Road Catawissa, PA 17820	Columbia County Locust Township	UNT of Roaring Creek (5-E)	Y

Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0094111 (Sewage)	Rimco Properties, Inc. Wellington Estates MHP Silvis Road Export, PA 15632	Westmoreland County Washington Township	Unnamed Tributary to Thorn Run (18-B)	Y

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Rices Landing Borough Greene County	PAR806244	First Student Inc. 110 Perimeter Park Suite E Knoxville, TN 37922	Unnamed Tributary of Pumpkin Run— 19-B	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Neville Township Allegheny County	PAR606143	Metalico Pittsburgh Inc. 3100 Grand Avenue Pittsburgh, PA 15225	Ohio River—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Black Township Somerset County	PAR226125	William Richter & Son Lumber 577 Fox Road Rockwood, PA 15557	Unnamed Tributary to Rhoades Creek— 19-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0239364 (Sewage)	Gail A. & Richard H. Cannon SRSTP 2482 West Washington Street Bradford, PA 16701	McKean County Corydon Township	Willow Creek (16-B)	Y
PA0239658 (Sewage)	Matthew C. Culp SRSTP 27 Gravel Lick Road Fisher, PA 16258	Clarion County Millcreek Township	Unnamed Tributary to the Blyson Run (17-B)	Y

II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970

PA0056642, Storm Water, SIC Code 5171, **Meenan Oil Company, LP**, 8301 Lansdowne Avenue, Upper Darby, PA 19082-5408. Facility Name: Meenan Oil Company. This existing facility is located in Upper Darby Township, **Delaware County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Storm Water.

The receiving stream, Naylor's Run, is located in State Water Plan watershed 3-G and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on an average stormwater flow.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
TRPH	XXX	XXX	XXX	15	XXX	30

In addition, the permit contains the following major special conditions:

- A. Stormwater Outfall Requirements
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal

Requirements for Petroleum Marketing Terminals

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes Barre, PA 18701-1915. Phone: 570-826-2511.

PA0061573, Sewage, SIC Code 4952, **Camp Hachshara-Moshava of NY, Inc.**, 520 Eighth Avenue, 15th Floor, New York, NY 10018. Facility Name: Camp Moshava. This existing facility is located in Berlin Township, **Wayne County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Unnamed Tributary to Indian Orchard Brook, is located in State Water Plan watershed 1-B and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.036 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.07	XXX	0.17
CBOD ₅	XXX	XXX	XXX	23.4	XXX	46.8
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12.0
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
				Qrtly Avg		
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		

In addition, the permit contains the following major special conditions:

- Solids Management

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.0530.

Application No. PA0232696, Concentrated Animal Feeding Operation (CAFO), **Noah N. Martin and Travis L. Martin**, 1821 State Route 184, Trout Run, PA 17771-8634. Facility Name: Martin Farm Finishing Barn. This proposed facility is located in Cogan House Township, **Lycoming County**.

Noah N. Martin and Travis L. Martin have submitted an application for an Individual NPDES permit for a new CAFO known as Martin Farm Finishing Barn, located in Cogan House Township, Lycoming County.

The CAFO is situated near Wolf Run in Watershed 10-A, which is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The CAFO is designed to maintain an animal population of approximately 764.82 animal equivalent units (AEUs) consisting of 4,800 swine, 40 dairy heifers, 40 calves, a miniature horse and a miniature donkey. Manure is stored in a stacking area, a stacking pad, an underbarn manure storage structure with a capacity of 811,337 gallons, an earthen pond with a capacity of 543,666, and a proposed underbarn manure storage structure with a capacity of 811,337 gallons. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate PA Technical Guide Standards. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

PA0028487—Amendment No. 1, Sewage, SIC Code 4900, 4952, **Hermitage Municipal Authority Mercer County**, 800 North Hermitage Road, Hermitage, PA 16148. Facility Name: Hermitage Municipal Authority STP. This existing facility is located in the City of Hermitage, **Mercer County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated sewage.

The receiving stream is the Shenango River, located in State Water Plan watershed 20-A and classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits change, for Outfall 001, is based on a design flow of 7.7 MGD.

Removal of Antimony & Chlordane limitations and Toxics Reduction Evaluation requirements based on additional sampling provided since the permit was issued.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is not in effect.

III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19403, 484.250.5900

WQM Permit No. 4615410, Sewage, **New Hanover Township Authority**, 2990 Fagleysville Road, Gilbertsville, PA 19525.

This proposed facility is located in New Hanover Township, **Montgomery County**.

Description of Action/Activity: Replacement of 8, 10, and 12 inch interceptor and manholes with 12, and 16 inch interceptor.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

WQM Permit No. 4815403, Sewage, **SPG, Inc.**, 139 Country Club Road, Northampton, PA 18067.

This facility is located in Moore Township, **Northampton County**.

Description of Proposed Action/Activity: Removal of the existing chlorine contact tank and construction of an aerated chlorine contact—dechlorination tank at the Whispering Hollow North Mobile Home Park wastewater treatment facility.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

WQM Permit No. 2801402, Amendment #2, Sewerage, **St. Thomas Township Municipal Authority**, 175 St. Thomas Edenville Road, Saint Thomas, PA 17252.

This proposed facility is located in St. Thomas Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking permit amendment approval to change the existing chlorine gas disinfection system to a liquid sodium hypochlorite disinfection system at the Edenville Plant.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

WQM Permit No. 1074405 A-2, Sewage, **Moraine Camplands Association Inc.**, 281 Staff Road, Slippery Rock, PA 16057-5327.

This existing facility is located in Brady Township, **Butler County**.

Description of Proposed Action/Activity: Upgrade of existing wastewater treatment plant.

WQM Permit No. 1015405, Sewage, **Adam Brezinski**, 656 Ekastown Road, Sarver, PA 16055.

This proposed facility is located in Buffalo Township, **Butler County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Lackawanna County Conservation Dist, 1038 Montdale Road, Suite 109, Scott Twp., PA 18447

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023515004	WBD, Inc. 299 Main Street, 2nd Floor Olyphant, PA 18447	Lackawanna	Roaring Brook Twp.	Stafford Meadow Brook (HQ-CWF, MF)

Lehigh County Conservation District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown, PA 18104

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI023915027	PPL Electric Utilities Corporation Colleen Kester 2 North Ninth Street GENN4 Allentown, PA 18101	Lehigh	Salisbury Township City of Bethlehem	Trout Creek (HQ-CWF, MF) UNT to Lehigh River (CWF, MF) Lehigh River (WWF, MF)

Northampton County Conservation District, 14 Gracedale Avenue Greystone Bldg., Nazareth, PA 18064-9211

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI024815010	Patricia Mangold Corey Mangold 9461 Red Road Kempton, PA 19529	Northampton	Moore Township	East Branch Monocacy Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI030715003	Gerald E Smith 2787 Cove Mountain Road Martinsburg, PA 16662	Blair	North Woodbury Township	Clover Creek (Designated Use of Water HQ-CWF; Existing Use of Water HQ-CWF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI041415014	Keystone Church and Ministries 1224 North Atherton St State College, PA 16803	Centre	College Township	Spring Creek HQ-CWF

Northumberland County Conservation District: RR 3, Box 238-C, Sunbury, PA 17801, (570) 286-7114, X 4

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI04004915001	PA DCNR Bureau of Forest District 18 P O Box 315 Aristes, PA 17920	Northumberland	Mt. Carmel Township	S Branch Roaring Creek HQ-CWF N Branch Shamokin Creek CWF

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056515004	North Huntingdon Township Municipal Authority, 11265 Center Highway, North Huntingdon, PA 15642	Westmoreland County	North Huntingdon Township	Long Run (HQ-TSF)
PAI056515005	Chris & Tanya Simchick 1213 Twelve Oaks Court Murrysville, PA 15668 P. W. Campbell 109 Zeta Drive Pittsburgh, PA 15238	Westmoreland County	Murrysville Borough	Haymakers Run (HQ-CWF)

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

Crawford County Conservation District, Woodcock Creek Nature Center, 21742 German Road, Meadville, PA 16335

NPDES	Applicant Name &			Receiving
Permit No.	Address	County	Municipality	Water/Use
PAI062015001	Meadville DPP LLC 9010 Overlook Blvd Brentwood, TN 37027	Crawford	Woodcock Township	Woodcock Creek, HQ-CWF

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

APPLICATIONS

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Tyoe</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Daniel Petre 3409 Smoketown Road Spring Grove, PA 17362	York	15.1	258.84	Poultry	NA	Renewal

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Application or Action</i>
Dennis Zimmerman 55 Zimmerman Lane Beaver Springs, PA 17812	Snyder	25.8	15.28	Ducks	N/A	Application

PUBLIC WATER SUPPLY (PWS) PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration

of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office

listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Application No. 2640053, Rescission of Operation Permit, Public Water Supply.

Applicant	Highland Fields c/o Louis J. Gruber, Jr. 214 Ninth Street Honesdale, PA 18431
Municipality	Palmyra Township
County	Wayne
Responsible Official	Louis J. Gruber, Jr.
Type of Facility	PWS
Consulting Engineer	N/A
Application Received Date	November 12, 2015
Description of Action	Request to rescind Operation Permit No. 2640053 for the Highland Fields Water System.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448

Application No. 5515503—Construction Public Water Supply.

Applicant	Middleburg Municipal Authority
Township/Borough	Middleburg Borough
County	Snyder
Responsible Official	Charles Zechman, Authority Chairman Middleburg Municipal Authority 13 North Main Street Middleburg, PA 17842
Type of Facility	Public Water Supply
Consulting Engineer	David Walters, P.E. Larson Design Group, Inc. 1000 Commerce Park Drive, Suite 201 Williamsport, PA 17701
Application Received	November 25, 2015
Description of Action	Construction of Well #3.

Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Permit No. 0215534, Public Water Supply.

Applicant	Hampton Shaler Water Authority PO Box 66 3101 McCully Road Allison Park, PA 15101
[Township or Borough]	Hampton Township

Responsible Official	Samuel Scarfone, Executive Director Hampton Shaler Water Authority PO Box 66 3101 McCully Road Allison Park, PA 15101
Type of Facility	Water system
Consulting Engineer	KLH Engineers, Inc. 5173 Campbells Run Road Pittsburgh, PA 15205
Application Received Date	November 20, 2015
Description of Action	Upgrades to the existing Felicity Pump Station.

Permit No. 3215517, Public Water Supply.

Applicant	Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
[Township or Borough]	Cherryhill Township
Responsible Official	Michael Duffalo, Executive Director Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering Company, Inc. 1004 Ligonier Street Box 853 Latrobe, PA 15650
Application Received Date	December 1, 2015
Description of Action	Installation of an interconnection with Clymer Borough and upgrades to the Sylvan Acres Pump Station.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Application No. 3915508 MA, Minor Amendment.

Applicant	City Of Allentown
[Township or Borough]	Allentown City, Lehigh County
Responsible Official	Craig W. Messinger Interim Public Works Director 641 South 10th Street, 3rd Floor Allentown, PA 18103
Type of Facility	Public Water Supply
Consulting Engineer	Jason G. Saylor, P.E. Utility Service Company, Inc. 53 Courteny Hodges Blvd. Perry, GA 31069
Application Received Date	11/16/2015

Description of Action Installation of mixing system & recoating of the 150,000 gallon Hasted tank.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Application No. 5615513MA, Minor Amendment.

Applicant **Municipal Authority of the Borough of Somerset**
PO Box 71
347 West Union Street
Somerset, PA 15501

[Township or Borough] Somerset Borough

Responsible Official Michele Enos, Borough Manager
Municipal Authority of the Borough of Somerset
PO Box 71
347 West Union Street
Somerset, PA 15501

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Application Received Date November 18, 2015

Description of Action Replacement of the 1 MG Hickory Hill water storage tank.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

WA4-1017, Water Allocations. Brighton Township Municipal Authority, 1300 Brighton Road, Beaver, PA 15009, Beaver County. The applicant is requesting the right to purchase 1,856,300 gallons of water, peak month, from the Vanport Township Municipal Authority.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**UNDER ACT 2, 1995
PREAMBLE 1**

Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to

Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701

Former PA House Facility, 137 Tenth Street, East Buffalo Township, Union County. Advantage Engineers, LLC, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of Lewisburg GF, LP, 415 Fallow Field Road, Suite 301, Camp Hill, PA 17011, submitted a Final Report concerning remediation of site soils and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds, polychlorinated biphenyls, and metals in both soil and groundwater. The report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standards.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

All American Hose, Inc. (6420 West Ridge Road), 6420 West Ridge Road, Fairview Township, Erie County. URS Corporation, 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876, on behalf of Parker Hannifin Corporation, 6035 Parkland Boulevard, Cleveland, OH 44124, submitted a Notice of Intent to Remediate.

Historical use of the site has primarily been manufacturing. Current use of site is for the manufacture of rubber and polyurethane liner hose. Site soil has been impacted with volatile organic compounds, semi-volatile organic compounds, and metals. Site groundwater has been impacted with Perchloroethylene (PCE). The proposed future use of the property will be industrial. The Site-Specific Standard has been selected for remediation. The Notice of Intent to Remediate was published in *The Erie-Times News* on November 11, 2015.

Parker Hannifin Corporation (74 South Main Street), 74 South Main Street, Borough of Union City, **Erie County**. URS Corporation, 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876, on behalf of Parker Hannifin Corporation, 6035 Parkland Boulevard, Cleveland, OH 44124, submitted a Notice of Intent to Remediate. The site is comprised of two pieces of land referred to as the northern and southern parcels. The proposed future use of the property will be industrial operations. The Site-Specific Standard has been selected for remediation. The Notice of Intent to Remediate was published in *The Erie-Times News* on November 11, 2015.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin*

or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150

65-01036: Matheson Tri-Gas, Inc. (1055 Garden Street, Greensburg, PA 15601) for construction of a paint booth for a gas distribution facility in Hempfield Township, **Westmoreland County**. This is a minor facility plan approval application.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

42-011C: International Waxes—Farmers Valley Plant (45 Route 446, Smethport, PA 16749), for the proposed modification to existing coal fired boilers by adding natural gas firing capability and the construction of a new natural gas fired boiler in Keating Township, **McKean County**. This application is for complying with 40 CFR 63 Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters. This is a Title V facility.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

59-00032A: Niles Valley Energy, LLC (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for the construction of three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Charleston Township, **Tioga County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. The Department of Environmental Protection's (Department) review of the information submitted by Niles Valley Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TPY NO_x, 0.114 g/bhp-hr and 10.69 TPY CO, 0.037 g/bhp-hr and 3.47 TPY VOCs, 0.0006 lb/MMBtu and 0.13 TPY SO_x, 0.050 g/bhp-hr and 4.67 TPY PM/PM₁₀/PM_{2.5}, 0.0009 g/bhp-hr and 0.84 TPY formaldehyde, 10 ppmvd at 15% O₂ ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO_x and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 59-00032A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

08-00054A: Wolf Run Energy, LLC (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for the construction of three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Wilmot Township, **Bradford County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. The Department of Environmental Protection's (Department) review of the information submitted by Wolf Run Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TPY NO_x, 0.114 g/bhp-hr and 10.69 TPY CO, 0.037 g/bhp-hr and 3.47 TPY VOCs, 0.0006 lb/MMBtu and 0.13 TPY SO_x, 0.050 g/bhp-hr and 4.67 TPY PM/PM₁₀/PM_{2.5}, 0.0009 g/bhp-hr and 0.84 TPY formaldehyde, 10 ppmvd at 15% O₂ ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO_x and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00054A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

08-00055A: Mill Creek Energy, LLC (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for the construction of three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both

catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Granville Township, **Bradford County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. The Department of Environmental Protection's (Department) review of the information submitted by Mill Creek Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TPY NO_x, 0.114 g/bhp-hr and 10.69 TPY CO, 0.037 g/bhp-hr and 3.47 TPY VOCs, 0.0006 lb/MMBtu and 0.13 TPY SO_x, 0.050 g/bhp-hr and 4.67 TPY PM/PM₁₀/PM_{2.5}, 0.0009 g/bhp-hr and 0.84 TPY formaldehyde, 10 ppmvd at 15% O₂ ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO_x and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00055A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

08-00056A: Litchfield Energy, LLC (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for the construction of three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Litchfield Township, **Bradford County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in

size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions.

The Department of Environmental Protection's (Department) review of the information submitted by Litchfield Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TPY NO_x, 0.114 g/bhp-hr and 10.69 TPY CO, 0.037 g/bhp-hr and 3.47 TPY VOCs, 0.0006 lb/MMBtu and 0.13 TPY SO_x, 0.050 g/bhp-hr and 4.67 TPY PM/PM₁₀/PM_{2.5}, 0.0009 g/bhp-hr and 0.84 TPY formaldehyde, 10 ppmvd at 15% O₂ ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO_x and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00056A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

41-00047A: Wildwood Cemetery Co. (1151 Cemetery St. Williamsport, PA 17701-1605) for the construction of a crematory unit at the Wildwood Cemetery facility located in Loyalsock Township, **Lycoming County**. The Department of Environmental Protection's (Department) review of the information submitted by Wildwood Cemetery Co. indicates that the air contamination source to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emission from the proposed source included in this project will not exceed the following limits: particulate matter emissions from the crematory shall not exceed 0.08 grain per dry standard cubic foot of exhaust, corrected to 7% oxygen and 0.98 tpy, 0.98 tpy of particulate matter less than 10 microns, 0.35 tpy of sulfur oxides, 1.40 tpy of carbon monoxide, 0.42 tpy of nitrogen oxides, and 0.42 tpy of volatile organic compounds. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements:

1) The particulate matter emissions from the crematory shall not exceed 0.08 grain per dry standard cubic foot of exhaust, corrected to 7% oxygen;

2) The visible emissions from the crematory shall not equal or exceed 10% opacity for a period or periods aggregating more than 3 minutes in any one hour or equal or exceed 30% opacity at any time;

3) The crematory shall only be fired on propane;

4) Only human remains and associated containers, which are constructed of cardboard, particleboard or wood, shall be incinerated in the crematory. Under no circumstances shall the crematory be used for the incineration of hospital waste, infectious waste or any other type of waste other than human remains and associated containers;

5) The crematory shall be equipped with instrumentation to continuously monitor and record the primary and secondary combustion chamber exit temperatures any time the crematory is in operation;

6) The crematory shall be equipped with instrumentation to continuously monitor the opacity of the effluent gas any time the crematory is in operation;

7) The crematory shall not be operated more than 3,744 hours in any 12 consecutive month period;

8) A secondary combustion chamber temperature of at least 1,800°F shall be maintained for a residence time of at least one (1) second at any time that cremation is occurring in the crematory;

9) The crematory shall be equipped with an interlock which prevents the primary combustion chamber burner from firing unless the secondary combustion chamber is at a temperature of at least 1,800°F;

10) The crematory shall be equipped with an interlock which prevents the primary combustion chamber burner from firing and sounds an alarm any time the opacity of the visible emissions exceeds 10%;

11) The charge door of the crematory shall be kept shut during the cremation cycle except for short periods of time in order to inspect and/or reposition the remains;

12) The permittee shall maintain accurate and comprehensive records of the primary and secondary combustion chamber temperature chart recordings as well as the number of hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 41-00047A, the requirements established in the plan approval will be incorporated into State Only Operating Permit 41-00047 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. All pertinent documents used in the evaluation of the application are available for public review during normal business hours

at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

23-00089: FPL Energy Marcus Hook, LP, (Delaware Avenue and Green Street, Marcus Hook, PA 19061) for operation of three combined cycle combustion turbines with a combined output of 750 MWs. The facility is located in the Borough of Marcus Hook, **Delaware County**. As a result of potential emissions of Nitrogen Oxides, Particulate Matter, Volatile Organic Compounds, Carbon Monoxide, and Sulfur Dioxide, this facility is a major stationary source (Title V facility) as defined in the Clean Air Act. Its operation is subject to NSPS Subparts Da, GG and J, and 40 CFR Part 97 (CSAPR) and Part 98 (GHG Reporting). The turbines are subject to Phase II (Title IV) Acid Rain requirements of 40 CFR Part 72. There are no proposed changes to the potential emissions from the facility. The renewal will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

23-00016: PQ Corporation (1201 West Front Street, Chester, PA 19013; Attn: Mr. Edward Hines), for the renewal of the Title V Operating Permit. The initial permit was issued on July 6, 2000, for the operation of two (2) glass melting furnaces at their plant located in the City of Chester, **Delaware County**. The facility is a major source for NO_x. Sources include boilers, furnaces, a spray drying operation, and a backup generator. The boilers are subject to 40 CFR Part 60, Subpart Dc. The two furnaces are subject to 25 Pa. Code §§ 129.301—129.310. The backup generator is subject to 40 CFR Part 60, Subpart IIII. Applicable requirements have been incorporated into the Title V Operating Permit renewal. Individual limits apply to the various sources at the facility. There are no emission increases being authorized under the Title V Operating Permit renewal. The following are potential site-wide emissions: NO_x—368 TPY; SO_x—179.24 TPY; PM—74.42 TPY; CO—115.47 TPY; VOC—8.63 TPY; and HAP—0.83 TPY. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64. The Operating Permit will contain requirements to keep the facility operating within all applicable air quality requirements for this source.

46-00035: Glaxo SmithKline LLC. (709 Swedeland Road, King of Prussia, PA 19406), located in Upper Merion Township, **Montgomery County**. This action is a renewal of the Title V Operating Permit. The facility is primarily involved in pharmaceutical research and development. Glaxo SmithKline operates boilers, generators and other lab equipment. The renewal incorporates plan approval 46-0031D for the case by case Boiler MACT requirements. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The operation is subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64 and NSPS regulations.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507

40-00003: Hershey Co. (6 Scotch Pine Drive, Hazle Township, PA 18202) for the operation of a chocolate and cocoa products manufacturing facility in Hazle Township, **Luzerne County**. The sources at the facility consist of four (4) boilers, processing lines, ovens and an anaerobic reactor. The emissions from the sources are controlled by cartridge filters, fabric filters, scrubbers and a flare. This is a renewal of a Title V Operating Permit. The Title V operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

39-00006: American Craft Brewery LLC, Breinigsville (7880 Penn Drive, Breinigsville, PA 18031-1508) for manufacture of malt beverages in Upper Macungie Township, **Lehigh County**. This is a renewal of the Title V Operating Permit. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The sources consist of boilers, emergency generators, silos, filling lines, and ink coders. The sources are controlled by cyclones and baghouses. The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

53-00006: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301) for renewal of the Title V operating permit for their Ellisburg facility located in Genesee Township, **Potter County**. The facility's sources include eleven (11) natural gas-fired heaters, eight (8) natural gas-fired gas transmission engines, six (6) natural gas-fired line heaters, two (2) natural gas-fired boilers, one (1) diesel-fired emergency generator, one (1) natural gas-fired air compressor, one (1) parts washer and several fugitive volatile organic compound (VOC) emission sources.

The facility has the potential to emit 1,040 tons of nitrogen oxides (NO_x) per year, 798.8 tons of carbon monoxide (CO) per year, 159.70 tons of volatile organic compounds (VOCs) per year, 0.65 ton of sulfur oxides per year (SO_x), 8.98 tons of particulate matter (PM/PM₁₀) per year, 18.55 tons of hazardous air pollutants (HAPs) per year and 127,369 tons of greenhouse gasses (GHGs) per year. No emission or equipment changes are being proposed by this action. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Subpart ZZZZ of 40 CFR Part 63 and 25 Pa. Code Chapters 121–145.

All pertinent documents used in the evaluation of the application are available for public review during normal

business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

08-00017: Northern Tier Solid Waste Authority (PO Box 10, Burlington, PA 18814) for the issuance of a Title V Operating Permit for their municipal waste landfill in West Burlington Township, **Bradford County**. The facility is currently operating under the State Only operating permit 08-00017 and now requires a Title V operating permit since the design capacity of the landfill is in excess of 2.5 million megagrams. The facility's sources include the municipal waste landfill and a leachate treatment operation.

This facility is aggregated with the Talen Renewable Energy, LLC landfill gas to energy plant onsite at the landfill. The facility (NTSWA and Talen Renewable Energy) has potential emissions of 24.6 tons per year of nitrogen oxides, 91.3 tons per year of carbon monoxide, 15.1 tons per year of sulfur oxides, 15.9 tons per year of particulate matter, 13.8 tons per year of volatile organic compounds, 7.8 tons per year of total hazardous air pollutants (HAPs). The emission restriction, testing, monitoring, recordkeeping, reporting, and work practice conditions of the SMOP have been derived from the applicable requirements of 40 CFR Part 60, 40 CFR Part 63 and 25 Pa. Code Chapters 121–145.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

46-00286: CSL Behring, (1020 1st Avenue, King of Prussia, PA 19406-1310) located in Upper Merion Township, **Montgomery County** for the issuance of an initial State Only (Synthetic Minor) Operating Permit No. 46-00286. CSLB is a biopharmaceutical company that manufactures plasma-derived and bio therapeutic products. This facility serves as CSLB's North American headquarters, and the only operations here are administrative in nature. The facility's air emissions sources consist of three stationary reciprocating internal combustion engines (RICE) to power three emergency generators. The Nitrogen Oxide emissions from these stationary RICE will not exceed 10.23 tons per year. The operating permit also contains work practice standards, monitoring and recordkeeping requirements, and operating restrictions designed to keep the sources and facility operating within all applicable air quality requirements.

15-00094: Metallurgical Products Co., (810 Lincoln Ave., West Chester, PA 19381) for the renewal of a Natural Minor Operating Permit in West Goshen Township, **Chester County**. Sources of emissions at this facility are two Inductotherm furnaces, a phosphoring station and a 100 kW emergency generator. The potential air emissions from this facility are: NO_x—2.67 TPY, CO—1.55 TPY, PM₁₀—33.44, and HAPs—11.26. The emergency generator is subject to 40 CFR Part 63

Subpart ZZZZ. The permit contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

09-00182: Marko Coating LLC dba Armoloy Company of Philadelphia. (1105 Miller Avenue, Croydon, PA 19021) for renewal of the State Only Operating Permit for a facility that comprises two hard chromium electroplating tanks and associated parts cleaning equipment located in Bristol Township, **Bucks County**. The chromium emissions from the tanks are controlled by a mesh pad scrubber. Changes with the renewal include incorporation of Requests for Determination (RFD) No 3413 and 4722 for two (2) new Vapor Honing Machines, replacing two other Vapor Honing Machines that were removed. The facility is subject to the National Standards for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks, 40 CFR Part 63 Subpart N. The requirements of the Subpart are updated pursuant to the most recent revision of February 27, 2014. Principally, the revisions include a more stringent total chromium emission limit of 0.015 milligram per dry standard cubic meter (0.015/dscm), with which the facility has demonstrated compliance, new housekeeping requirements and a pressure drop range for the scrubber, based on initial performance testing. Requirements of 25 Pa. Code § 129.63 for an existing cold immersion degreaser are included in the renewal. The renewal also includes minor changes in standard conditions in accordance with Department of Environmental Protection (DEP) guidelines. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

09-00134: Harsco Corporation (905 Steel Road South, Fairless Hills, PA 19030; Attn: Mr. Mark Mumert) for the renewal of a Natural Minor State Only Operating Permit. The initial permit was issued on May 24, 2005, for operation of a slag roofing granules plant in Falls Township, **Bucks County**. Sources include a rotary dryer (Source ID 100), and various screens, crushers, conveyors, and silos (Source ID 101). Emissions of PM are controlled with dust collection systems. There are no emission increases being authorized under the State Only Operating Permit renewal. The following are potential site-wide emissions: NO_x —9.46 TPY; SO_x —0.04 TPY; PM—121.69 TPY; CO—7.93 TPY; and VOC—0.53 TPY. The permit will continue to include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507

39-00081: Insulation Corporation of America (2571 Mitchell Avenue, Allentown, PA 18013) The Department intends to issue a renewal State Only (Synthetic Minor) Operating Permit for a plastic foam products manufacturing facility in the City of Allentown, **Lehigh County**. The facility sources include: one (1) batch pre-expander, one (1) block mold and one (1) natural gas fired boiler. These sources have the potential to emit major quantities of Volatile Organic Compounds (pentane) above Title V emission thresholds. The facility shall use control equipment (boiler) to burn the pentane and maintain Volatile Organic Compound emissions under the Title V limit. The proposed State Only Operating Permit contains all applicable requirements including Federal and State regula-

tions. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

48-00104: Kranos Corporation (710 Industrial Drive, Litchfield, IL 62056) for the operation of a sports and athletic reconditioning facility in Palmer Township, **Northampton County**. The sources consist of four (4) manual spray booths and five (5) automated spray booths. The particulate emissions are controlled by nine (9) nine dry filters. This is a new State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702

44-03015: First Quality Baby Products, LLC (97 Locust Road, Lewistown, PA 17044) to issue a State Only Operating Permit for their disposable diaper/training pants manufacturing facility in Granville Township, **Mifflin County**. Facility volatile organic compounds (VOC) emissions are capped at 50 tons per consecutive 12-month period; actual VOC emissions for 2014 were 7.4 tons. The Operating Permit includes emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

19-00023: Ardagh Metal Packaging USA, Inc. (6670 Low Street, Bloomsburg, PA 17815) for a State Only operating permit for their Bloomsburg facility located in South Centre Township, **Columbia County**. The facility's sources includes: two (2) parts washers, three (3) three-piece can assembly lines, one (1) can and sealing line, eleven (11) VideoJet printing systems, one (1) sterno line, and one (1) end score repair line.

The facility has potential emissions of 0.50 ton per year of nitrogen oxides, 0.42 ton per year of carbon monoxide, 0.03 ton per year of particulate matter, 24.05 tons per year of volatile organic compounds, and 4.77 tons per year of total hazardous air pollutants (HAPs). The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: and Tom Joseph, Permitting Chief—Telephone: 412-442-5226

63-00914: Bolsan Company Inc. (163 Linnwood Road, Eighty Four, PA 15330) In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit (SOOP) renewal to Bolsan Company to authorize the continued operation of their facility that manufactures shims and laminated shim stock, mostly for the aerospace industry. The facility is located in North Strabane Township, **Washington County**.

The emission sources at this facility are a Faustel coater and dryer, a 1A coater and dryer, a small enclosed spray booth, a hot oil heater that is used to heat oil for presses and the control units include a dust collector vented indoor and a thermal oxidizer. Shims are constructed from aluminum, brass, carbon steel, stainless steel and titanium. These metals are laminated and pressed into .002 to .003 inch thick shim stock. This is a synthetic minor facility with emission limit for VOC of 24.5 tons per year. The proposed SOOP renewal contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

A person may oppose the proposed State Only Operating Permit renewal by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (63-00914) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Bolsan Company's State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Bolsan Company's State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

All comments must be received prior to the close of business 30 days after the date of this publication.

26-00545: Brownsville Marine Products, LLC (1800 Paul Thomas Blvd, Brownsville, PA 15417) In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit (SOOP) renewal to Brownsville Marine Products to authorize the continued operation of a barge manufacturing and repairing facility located in Brownsville Boro., **Fayette County**.

Operations include steel preparation, fabrication and surface coating. The emission sources at this facility are paint building, unpaved roadways, shot blast units, submerged arc, welding machines and the control units include paint building filter, dust collectors and water truck.

This is a synthetic minor facility with emission limits for VOC and HAPs. The proposed SOOP renewal contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

A person may oppose the proposed State Only Operating Permit renewal by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (26-00545) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Brownsville Marine Products' State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Brownsville Marine Products' State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

All comments must be received prior to the close of business 30 days after the date of this publication.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

61-00225: Devonian Resources Incorporated (PO Box 329, 15566 Tionesta Road, Pleasantville, PA 16341) the Department intends to issue a new Natural Minor Operating Permit to operate the Van Extraction Plant in Cranberry Township, **Venango County**. The facility's primary emission sources include an ethylene glycol dehydration unit, combustion emissions for the dehydration unit, an Ajax 296 HP compressor engine, a 150 HP refrigeration compressor engine, potential fugitive emissions, and waste oil storage tanks (300 gallon and 500 gallon capacity) The engines are subject to 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Units. The fugitive emissions are subject to 40 CFR 60 Subparts VV and KKK. The facility was previously permitted as National Fuel Gas Van Station however, portions of the original facility (permitted as 61-00188) were transferred to Devonian. Potential emissions from the facility are less than the Title V emission thresholds. Potential VOC, NO_x, CO, HAPs, SO_x, PM₁₀, PM_{2.5} and CO_{2e} emissions are: 37.8 TPY, 8.87 TPY, 8.85 TPY, 1.25 TPY, 0.01 TPY, 0.65 TPY, 0.65 TPY, and 3,566 TPY, respectively. The conditions of the previous plan approval and operating permit were incorporated into the renewal permit along with the newer Federal Requirements.

PLAN APPROVALS

Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

15-0081: Johnson Matthey Inc. (1401 King Rd., West Chester, PA 19380) for the modification of an existing wet scrubber control device to operate at a 99% removal efficiency for hydrochloric acid (HCl) and nitric acid (HNO₃) or at an established maximum outlet concentration at their precious metals processing facility in West Whiteland Township, **Chester County**. As a result of potential emissions of NO_x and VOC, the facility is a State-Only facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

46-0013D: Clemens Food Group (2700 Clemens Rd., Hatfield, PA 19440-0902) for the installation of a new cooker/press to replace two existing cookers/presses at their meat processing facility in Hatfield Township, **Montgomery County**. The facility has a plantwide Federally Enforceable Emission Cap (FEEC) of 74.15 tons per year (tpy) for nitrogen oxides (NO_x). As a result of potential emissions of NO_x, the facility is a Title V facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated

before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

56743705 and NPDES No. PA0235695. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Mine 78 CRDA in Paint Township, **Somerset County** and related NPDES permit. No additional discharges. The application was considered administratively complete on November 19, 2015. Application received July 1, 2015.

03071301 and NPDES No. PA0235954. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Long Run Mine in West Franklin and East Franklin Townships, **Armstrong County** and related NPDES permit. No additional discharges. The application was considered administratively complete on November 25, 2015. Application received June 17, 2015.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900

Permit No. 32120101 and NPDES No. PA0268976, Amerikohl Mining, Inc., 1384 State Route 711, Stahlstown, PA 15687, permit renewal for the continued operation and restoration of a bituminous surface mine in East Wheatfield Township, **Indiana County**, affecting 210.2 acres. Receiving streams: unnamed tributaries to/and Mardis Run and unnamed tributaries to/and Blacklick Creek classified for the following uses: cold water fishes and trout stocked fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 12, 2015.

Permit No. 32090103 and NPDES No. PA0262889, Alverda Enterprises, Inc., P.O. Box 245, Alverda, PA 15710, renewal for reclamation only of a bituminous surface mine in Pine Township, **Indiana County**, affecting 37.7 acres. Receiving stream: Yellow Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 9, 2015.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knoxville, PA 16232-0669, 814-797-1191

16140101 and NPDES Permit No. PA0259641. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Commencement, operation and restoration of a bituminous surface mine and associated NPDES permit in Perry & Licking Townships, **Clarion County**, affecting 591.5 acres. Receiving streams: Five unnamed tributaries to Cherry Run, classified for the following uses: CWF, and Four unnamed tributaries to the Clarion River, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: November 12, 2015.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200

17110110 and NPDES PA0257834. Larry D. Baumgardner Coal Company, Inc. (P. O. Box 186, Lanse, PA 16849). Permit revision in change of land use from forestland to unmanaged natural habitat to an existing bituminous surface mine in Boggs Township, **Clearfield County** affecting 32.9 acres. Receiving stream(s): Unnamed Tributary to Laurel Run classified for CWF and Unnamed Tributary to Simeling Run classified for CWF, Class A Wild Trout Stream. There are no potable water supply intakes within 10 miles downstream. Application received: November 9, 2015.

17940107 and NPDES PA0219801. River Hill Coal Company, Inc. (P. O. Box 141, Kylertown, PA 16847). Permit boundary revision to add 38.5 acres and request to allow other than approximate original contour revision to an existing bituminous surface mine in Karthaus Township, **Clearfield County** affecting 488.3 acres. Receiving stream(s): Unnamed Tributaries to Saltlick Run and Upper Three Runs classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 19, 2015.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

Noncoal Applications Received

Effluent Limits—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

26050401 and NPDES Permit No. PA0250643. Laurel Aggregates of Delaware, LLC (1600 Market Street, 38th Floor, Philadelphia, PA 19102). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in Springhill Township, **Fayette County**, affecting 171.7 acres. Receiving streams: unnamed tributaries to Rubles Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 20, 2015.

03950301 and NPDES Permit No. PA0201359. Glacial Sand & Gravel Company (P.O. Box 1022, Kittanning, PA 16201). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in East Franklin Township, **Armstrong County**, affecting 310 acres. Receiving streams: unnamed tributaries to the Allegheny

26100103 and NPDES Permit No. PA0251984. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only to an existing bituminous surface mine, located in Springhill Township, **Fayette County**, affecting 140.3 acres. Receiving streams: unnamed tributary to Hope Hollow and Cheat River, classified for the following use: WWF. The potable water supplies with intake within 10 miles downstream from the point of discharge: East Dunkard Water Association, Point Marion Borough Water Service, and Dunkard Valley Water Authority. Renewal application received: November 12, 2015.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

Permit No. 54150103. Michael Coal Company, (PO Box 8, Williamstown, PA 17098), commencement, operation and restoration of an anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Schuylkill Township, **Schuylkill County** affecting 202.0 acres, receiving stream: Schuylkill River, classified for the following use: cold water fishes. Application received: October 5, 2015.

Permit No. 54900103R5. EOJ, Inc., (2401 Summer Valley Road, New Ringgold, PA 17960), renewal of an existing anthracite surface mine operation in East Norwegian Township and Palo Alto Borough, **Schuylkill County** affecting 193.2 acres, receiving stream: Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: November 12, 2015.

Permit No. 54803019R5 and NPDES Permit No. PA0224995. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite surface mine and NPDES Permit for discharge of treated mine drainage in Hegins and Porter Townships, **Schuylkill County** affecting 1,313.0 acres, receiving stream: East Branch Rausch Creek, classified for the following use: cold water fishes. Application received: November 16, 2015.

River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 23, 2015.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania*

Bulletin and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900

NPDES No. PA0597490 (Mining Permit No. 11850111), E.P. Bender Coal Company, Inc., P.O. Box 594, Carrolltown, PA, 15722, revision of an NPDES permit for bituminous surface mine in Dean Township, **Cambria County**, affecting 170.3 acres. Receiving stream: Brubaker Run classified for the following use: cold water fishes. This receiving stream is included in the Brubaker Run TMDL. Application received: September 17, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall listed below discharges to Brubaker Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfall: 005</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Osmotic Pressure (mOsm/kg)	50.0	50.0	50.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.5 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0248894 (Mining Permit No. 4072SM22), Penn Coal Land, Inc., P.O. Box 68 Boswell, PA 15531, revision of an NPDES permit for treatment of a post mining discharge in Somerset Township, **Somerset County**, affecting 90 acres. Receiving stream: unnamed tributary to Kimberly Run, classified for the following use: cold water fishes. This receiving stream is included in the Coxes Creek TMDL. Application received: October 15, 2015.

The outfall listed below discharges to an unnamed tributary of Kimberly Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N

The proposed interim effluent limits for the above listed outfall(s) will be effective until April 14 2016:

<i>Outfall: 001 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10 standard units at all times			
Alkalinity must exceed acidity at all times			

The proposed final effluent limits for the above listed outfall(s) will be effective after April 14, 2016:

<i>Outfall: 001 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0597490 (Mining Permit No. 11850111), E.P. Bender Coal Company, Inc., P.O. Box 594, Carrolltown, PA, 15722, revision of an NPDES permit for bituminous surface mine in Dean Township, **Cambria County**, affecting 170.3 acres. Receiving stream: Brubaker Run classified for the following use: cold water fishes. This receiving stream is included in the Brubaker Run TMDL. Application received: September 17, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall listed below discharges to Brubaker Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
005	N

The proposed effluent limits for the above listed outfall are as follows:

<i>Outfalls: 005 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Osmotic Pressure (mOsm/kg)	50.0	50.0	50.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.5 standard units at all times			
Alkalinity must exceed acidity at all times			

Noncoal NPDES Draft Permits

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

NPDES No. PA0592579 (Mining permit no. 3378NC17), Hanson Aggregates BMC, Inc., 2200 Springfield Pike, Connellsville, PA 15425, renewal NPDES permit for the Halls Quarry large noncoal surface mine in Connellsville Township, **Fayette County**, affecting 73.57 acres. Receiving streams: unnamed tributary to unnamed tributary to Connell Run and Connell Run, classified for the following use: WWF. Application received: September 2, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The treated stormwater outfall(s) listed below discharge to unnamed tributary to Connell Run and Connell Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001, 002, 003, 004, 005, 006	N	Sediment Pond

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0591483 (Mining permit no. 26840402), Hanson Aggregates BMC, Inc., 2200 Springfield Pike, Connellsville, PA 15425, renewal NPDES permit for the Springfield Pike Quarry large noncoal surface mine in Connellsville Township, **Fayette County**, affecting 234.7 acres. Receiving stream: Connell Run, classified for the following use: WWF. Application received: September 2, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The treated stormwater outfall(s) listed below discharge to Connell Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001, 002, 003	N	Sediment Pond

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0591483 (Mining permit no. 26900306), Hanson Aggregates BMC, Inc., 2200 Springfield Pike, Connellsville, PA 15425, renewal NPDES permit for the Connellsville Quarry large noncoal surface mine in Connellsville Township, **Fayette County**, affecting 51.4 acres. Receiving stream: unnamed tributary to Connell Run, classified for the following use: WWF. Application received: September 2, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The treated stormwater outfall(s) listed below discharge to unnamed tributary to Connell Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Sediment Pond

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

EA15-015. Eastern Shore Natural Gas Company, 1110 Forrest Avenue, Suite 201, Dover, DE 19904, in Highland, Londonderry and Franklin Townships, **Chester County,** ACOE Philadelphia District.

Eastern Shore is proposing to construct two sections of single 16-inch diameter steel pipelines, referred to as the Daleville Loop and Kemblesville Loop, in the Cochranville

and Kemblesville areas of Chester County. The Daleville Loop includes 3.3 miles of proposed pipeline extending from an existing pipeline at Limestone Road (PA-10) south to the existing Daleville Compressor Station in the Cochranville area. The Kemblesville Loop was originally proposed to follow a route generally to the east of Kemblesville, following lands of private owners and existing utility easements to reroute the natural gas pipeline around developed areas. After further evaluation, Eastern Shore has concluded that it would be preferable on environmental grounds to align the Kemblesville Loop segment of the Project along Eastern Shore's existing pipeline right-of-way (an alignment which has come to be called Kemblesville Loop "Alternative 2"). The Kemblesville Loop Alternative 2 alignment will eliminate approximately 1.8 mile of pipeline and require less construction than Eastern Shore's originally proposed alignment. Construction of the Kemblesville Loop incorporating the Alternative 2 route includes 2.1 miles of proposed pipeline extending from the intersection of Hess Mill Road and Wingate Drive southeast to tie-in to an existing valve cluster south of Walker Road in the Kemblesville area.

The applicant is requesting a state water quality certification as required by Section 401 of the Clean Water Act in support of its Federal application to the Federal Energy Regulatory Commission to install and maintain the aforementioned pipeline for the purpose of transporting natural gas.

The proposed Daleville Loop includes approximately 43.39 acres of earth disturbance, and impacts to 549 linear feet of Doe Run and its unnamed tributaries, listed as Trout Stocking Fishery (TSF), 1.25 acre of floodway, 1.27 acre of temporary Palustrine Emergent (PEM) wetland impacts, and 0.07 acre of PEM wetland permanent impacts.

The proposed Kemblesville Loop includes approximately 24.18 acres of earth disturbance, and impacts to 439 linear feet of unnamed tributaries of West Branch White Clay Creek and Big Elk Creek, listed as TSF and High Quality (HQ) TSF, respectively, 1.38 acre of floodway, 0.31 acre of temporary PEM wetland impacts, 0.08 acre of temporary Palustrine Forested (PFO) wetland impacts, and 0.03 acre of PEM wetland permanent impacts.

The proposed project consists of two loops. The Daleville Loop starts at Parkesburg, PA Quadrangle N: 39°, 54', 10"; W: 75°, 54', 42" and ends at Oxford, PA Quadrangle N: 39°, 51', 35"; W: 75°, 53', 24". The Kemblesville Loop starts at West Grove, PA Quadrangle N: 39°, 46', 12"; W: 75°, 50', 46" and ends at Newark West, PA Quadrangle N: 39°, 44', 34"; W: 75°, 49', 52".

Any state water quality certification issued by DEP will include conditions requiring the applicant prior to construction to obtain all state permits and authorizations and to implement any other measures appropriate to ensure compliance with state water quality standards and the antidegradation requirements in Chapter 93.

E46-1128. PA Turnpike Commission, 700 South Eisenhower Blvd, Middletown, PA, 17057, Lower Salford, Salford, and Franconia Townships, **Montgomery County**, ACOE Philadelphia District.

The construction work for the proposed project includes the following water obstruction and encroachment activities within the 6.8-mile reconstruction and widening project of the Northeast Extension of the Pennsylvania Turnpike (I-476) from milepost A31.3 (just south of Fretz Road) to milepost A38.1 (just north of Clump Road). The project is located in Lower Salford, Salford, and Franconia, Montgomery County, Pennsylvania. Compensatory mitigation will be required for 1.2 acre of permanent impacts to wetlands and 2,275 linear feet of permanent channel loss to perennial and intermittent waterways. A Draft Compensatory Mitigation Report is included with the permit application.

1. To grade the channel bank of perennial unnamed tributary to Skippack Creek (TSF) (Waterway S2) to outlet stormwater management conveyance at 40°15'54.21"N, 75°21'15.64"W. Permanent impacts of 13 linear feet (252 square feet) and temporary impacts of 42 linear feet (1,028 square feet). To place a permanent 168 square foot rock apron within the floodway of Waterway S2 at 40°15'55.66"N, 75°21'17.17"W.

2. To grade the channel bank of intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S3) to outlet stormwater management conveyance at 40°16'08.75"N, 75°21'22.02"W. Permanent impacts of 56 linear feet (747 square feet) and temporary impacts of 51 linear feet (540 square feet). To place a permanent 70 square foot stormwater rock apron within the floodway of Waterway S3 at 40°16'09.07"N, 75°21'22.84"W.

3. To extend a 6' RC Box culvert, place scour protection, and grade banks for stormwater conveyances in an intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S4) at 40°16'22.23"N, 75°21'28.14"W. Permanent impacts of 174 linear feet (1,271 Square feet) and temporary impacts of 191 linear feet (1,279 Square feet). To place a permanent 70 square foot rock apron in the floodway of Waterway S4 at 40°16'20.80"N, 75°21'24.93"W.

4. To replace and extend a 42" RCCP pipe culvert, place scour protection, and grade banks for stormwater conveyance in an intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S5) at 40°16'37.08"N, 75°21'33.31"W for roadway widening. Permanent impacts of 270 linear feet (1,514 square feet) and temporary impacts of 131 linear feet (420 Square feet). To place a permanent 70 square foot stormwater rock apron in the floodway of Waterway S5 at 40°16'37.12"N, 75°21'31.82"W.

5. To place fill in wetland (W20) which drains to intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S5) at 40°16'46.18"N, 75°21'37.35"W. A total loss with a permanent impact of 82 square feet (0.002 acre) of the emergent wetland (W20).

6. To relocate an intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S35) at 40°16'37.51"N, 75°21'35.27"W. Permanent impacts of 26 linear feet (61 square feet) with no temporary impacts.

7. To replace and extend a 42" RCCP pipe culvert, place scour protection, and grade banks for stormwater conveyance in an intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S6) at 40°16'46.85"N, 75°21'39.59"W. Permanent impacts of 313 linear feet (2,054 square feet) and temporary impacts of 10 linear feet (57

square feet). To place a permanent 70 square foot rock apron in the floodway of Waterway S6 at 40°16'45.67"N, 75°21'34.59"W.

8. To extend a 42" RCCP pipe culvert, place scour protection, and grade banks for stormwater conveyance in an ephemeral unnamed tributary to Skippack Creek (TSF) (Waterway S7) at 40°17'04.27"N, 75°21'45.78"W. Permanent impacts of 124 linear feet (596 square feet) and temporary impacts of 40 linear feet (175 square feet). To place three permanent rock aprons totaling 299 square feet in the floodway of Waterway S7 at 40°17'04.00"N, 75°21'44.14"W, 40°17'04.77"N, 75°21'44.31"W and 40°17'3.23"N, 75°21'47.44"W.

9. To place fill and extend a 42" RCCP pipe culvert for the southbound lane widening in wetland (W5) which drains an intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S7) at 40°17'03.81"N, 75°21'47.30"W. Permanent impacts of 1,283 square feet (0.03 acre) and temporary impacts of 1,321 square feet (0.03 acre) of the emergent wetland (W5).

10. To extend a 36" RCCP pipe culvert, place scour protection, and grade banks for stormwater conveyance in an ephemeral unnamed tributary to Skippack Creek (TSF) (Waterway S8) at 40°17'36.54"N, 75°22'00.35"W for roadway widening. Permanent impacts of 123 linear feet (667 Square feet) and temporary impacts of 31 linear feet (162 Square feet). To place a permanent 120 square foot rock apron in the floodway of Waterway S8 at 40°17'16.05"N, 75°21'49.33"W.

11. To extend a 48" RCCP pipe culvert, place scour protection, and grade banks for stormwater conveyance in an ephemeral unnamed tributary to Skippack Creek (TSF) (Waterway S10) at 40°17'36.55"N, 75°22'00.30"W for roadway widening. Permanent impacts of 94 linear feet (797 square feet) with no temporary impacts. To place a two permanent rock aprons in the floodway of Waterway S10 totaling 152 square feet at 40°17'35.80"N, 75°22'02.39"W and 40°17'36.20"N, 75°22'02.51"W.

12. To place fill for the southbound lane widening and extend a 42" RCCP pipe culvert in an ephemeral unnamed tributary to Skippack Creek (TSF) (Waterway S11) at 40°17'39.95"N, 75°22'03.81"W. Permanent impacts of 172 linear feet (1,112 square feet) with no temporary impacts.

13. To place fill for the southbound lane widening and construct a permanent stormwater management basin in wetland (W6) which drains to an ephemeral unnamed tributary to Skippack Creek (TSF) (Waterway S11) at 40°17'41.93"N, 75°22'05.03"W. Total loss with a permanent impact of 0.04 acre (1,655 square feet) shrub/scrub and emergent wetland (W6).

14. To place fill and extend two pipe culverts (42" RCCP and a 48" RCCP) for the southbound lane widening in wetland (E2) and cut a new relocated channel for a perennial unnamed tributary to Skippack Creek (TSF) (Waterway S12) at 40°17'36.61"N, 75°22'00.04"W. Permanent impacts of 0.15 acre (6,609 square feet) of the emergent wetland (E2).

15. To extend two culverts (8' RCC Box Culverts) and relocate a perennial unnamed tributary to Skippack Creek (Waterway S12) at 40°17'48.29"N, 75°22'7.29"W 40°17'55.52"N, 75°22'10.32"W and for roadway widening and stormwater management facilities. Permanent impacts of 1,779 linear feet (17,841 square feet) with no temporary impacts.

16. To place fill for the southbound lane widening and relocate Waterway S12 within wetland (W7) which drains to an perennial unnamed tributary to Skippack Creek (TSF) (Waterway S12) at 40°17'48.42"N, 75°22'07.50"W. Total loss with a permanent impact of 10, 148 square feet (0.23 acre) emergent wetland (W7).

17. To grade the relocated perennial waterway (S12) resulting in a channel loss to an intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S16) at 40°17'47.56"N, 75°22'05.00"W. Permanent impacts of 18 linear feet (161 square feet) with no temporary impacts.

18. To place fill for a permanent stormwater basin in an intermittent unnamed tributary to Skippack Creek (TSF) (Waterway S39) at 40°17'48.52"N, 75°22'05.58"W. Permanent impacts of 28 linear feet (156 square feet) and temporary impacts of 62 linear feet (293 square feet).

19. To relocate a perennial unnamed tributary to Skippack Creek (Waterway S13) at 40°17'55.46"N, 75°22'10.38"W for roadway widening. Permanent impacts of 412 linear feet (4,593 Square feet) with no temporary impacts.

20. To extend a 12' Reinforced Concrete arch culvert and place scour protection in a perennial unnamed tributary to Indian Creek (TSF) (Waterway S14) at 40°18'29.82"N, 75°22'20.69"W. Permanent impacts of 102 linear feet (1,359 square feet) and temporary impacts of 123 linear feet (1,593 square feet). To place a permanent 144 square foot stormwater rock apron in the floodway Waterway S14 at 40°18'29.98"N, 75°22'20.87"W.

21. To place scour protection and grade banks for stormwater conveyance in the perennial main branch of Indian Creek (TSF) (Waterway S17) at 40°18'40.58"N, 75°22'23.04"W. Permanent impacts of 124 linear feet (2,001 Square feet) and temporary impact of 70 linear feet (2,144 square feet).

22. To replace a 158 foot long, 36" RCCP pipe culvert, place scour protection, and grade stream bank for stormwater conveyance in an ephemeral unnamed tributary to Indian Creek (TSF) (Waterway S18) at 40°18'52.66"N, 75°22'29.11"W for roadway widening. Permanent impacts of 199 linear feet (760 square feet) and temporary impacts of 102 linear feet (771 square feet). To place a permanent 146 square foot rock apron in the floodway of Waterway S18 at 40°18'53.02"N, 75°22'27.85"W.

23. To extend a 42" RCCP pipe culvert, place scour protection, and bank grading for stormwater conveyance in an intermittent unnamed tributary to Indian Creek (TSF) (Waterway S19) at 40°18'59.25"N, 75°22'31.55"W for roadway widening. Permanent impacts of 85 linear feet (869 square feet) and temporary impact of 194 linear feet (1,742 square feet). To place an 81 square foot rock apron in the floodway of Waterway S19 at 40°18'58.95"N, 75°22'29.86"W.

24. Temporary impact for construction in an unnamed tributary to Indian Creek (TSF) (Waterway S22) at 40°18'58.65"N, 75°22'33.53"W for roadway widening. Temporary impacts of 26 linear feet (73 square feet).

25. To place fill for the southbound lane widening in wetland (W11) at 40°18'58.73"N, 75°22'33.54"W. Permanent impact of 0.03 acre (1,352 square feet) and temporary impact of 0.01 acre (599 square feet) of the emergent wetland (W11).

26. To replace and extend a 36" RCCP pipe culvert, place scour protection, and relocated an intermittent unnamed tributary to the East Branch of Perkiomen Creek (TSF) (Waterway S20) at 40°19'12.85"N, 75°22'38.52"W for roadway widening. Permanent impacts of 514 linear feet (2,489 square feet) with no temporary impacts.

27. To extend a 48" RCCP pipe culvert, place scour protection, and grade stream bank for stormwater conveyance in an intermittent unnamed tributary to Indian Creek (TSF) (Waterway S21) at 40°19'18.42"N, 75°22'38.86"W for roadway widening. Permanent impacts of 116 linear feet (1,241 square feet) and temporary impacts of 13 linear feet (125 square feet). To place a 108 square foot rock apron in the floodway of Waterway S21 at 40°19'18.03"N, 75°22'41.54"W.

28. To place fill for the southbound lane widening and cut for a proposed wetland mitigation site in wetland (W12) at 40°19'32.23"N, 75°22'47.61"W. Permanent impact of 0.24 acre (10,621 square feet) of the emergent wetland (W12).

29. To place fill for the southbound lane widening in wetland (W13) at 40°19'36.66"N, 75°22'48.16"W. Permanent impact of 0.009 acre (404 square feet) and temporary impacts of 0.015 acre (666 square feet) of the forested wetland (W13).

30. To cut for a proposed wetland mitigation site in wetland (W18) at 40°19'31.66"N, 75°22'49.00"W. Permanent impact of 0.13 acre (5,529 square feet) of the forested and emergent wetland (W18).

31. To place fill for the northbound lane widening in wetland (E6) at 40°19'35.91"N, 75°22'44.42"W. A total loss with permanent impact of 0.10 acre (4,533 square feet) of the forested and emergent wetland (E6).

32. To replace the existing 81 foot wide, 3-span bridge with a 161 foot wide, 3-span composite P/S concrete bulb-tee multi-girder bridge over the East Branch of Perkiomen Creek (Waterway S24) at 40°19'41.22"N, 75°22'47.95"W. Permanent impacts of 29 linear feet (356 square feet) for bank grading and temporary impacts of 312 linear feet (26,279 square feet) for construction of a temporary causeway. To place two rock aprons totaling 162 square feet in the floodplain of Waterway S24 at 40°19'41.20"N, 75°22'49.02"W and 40°19'44.44"N, 75°22'46.40"W.

33. To place fill for the northbound widening and relocate an intermittent unnamed tributary to East Branch of Perkiomen Creek (TSF) (Waterway S25) at 40°19'39.81"N, 75°22'45.82"W. Permanent impacts of 839 linear feet (4,675 Square feet) with no temporary impacts.

34. To place fill for the southbound widening and a permanent stormwater management facility in an intermittent unnamed tributary to East Branch of Perkiomen Creek (TSF) (Waterway S36) at 40°20'00.01"N, 75°22'55.89"W. Permanent impacts of 1,812 linear feet (7,168 Square feet) with no temporary impacts.

35. To place fill for the northbound lane widening in wetland (E7) at 40°19'58.95"N, 75°22'53.60"W. A total loss with permanent impact of 0.03 acre (1,307 square feet) of the emergent wetland (E7).

36. To place fill for the northbound lane widening and cut for a drainage swale in wetland (E8) at 40°20'10.01"N, 75°22'57.00"W. Permanent impact of 0.08 acre (3,361 square feet) of the emergent and forested wetland (E8).

37. To place fill for the southbound lane widening in wetland (W14) at 40°20'12.27"N, 75°23'00.98"W. Permanent impact of 0.09 acre (4,008 square feet) and temporary impacts of 0.20 acre (8,637 square feet) of the emergent wetland (W14).

38. To replace and extend a 48" RCCP pipe culvert, place scour protection, and grade stream bank of stormwater conveyances in an ephemeral unnamed tributary to the East Branch of Perkiomen Creek (TSF) (Waterway S26) at 40°20'26.72"N, 75°23'06.43"W for roadway widening. Permanent impacts of 203 linear feet (927 square feet) with no temporary impact.

39. To replace and extend a 5'-8" x 6'-8" RCC Box culvert, place scour protection, and grade stream banks for stormwater conveyances in an intermittent unnamed tributary to East Branch of Perkiomen Creek (Waterway S27) 40°20'38.20"N, 75°23'14.51"W for roadway widening. Permanent impacts of 218 linear feet (2,349 square feet) with no temporary impact. To place two permanent stormwater rock aprons totaling 288 square feet within the floodway Waterway S27 at 40°20'37.57"N, 75°23'14.92"W and 40°20'29.43"N, 75°23'11.17"W.

40. To grade the stream bank of unnamed tributary to East Branch of Perkiomen Creek (TSF) (Waterway S42) to outlet stormwater management conveyance at 40°20'35.40"N, 75°23'17.16"W. Permanent impacts of 33 linear feet (374 square feet) and temporary impacts of 32 linear feet (274 square feet).

41. To place fill for the northbound lane widening in wetland (E14) at 40°21'19.73"N, 75°23'35.31"W. A total loss with permanent impact of 0.004 acre (162 square feet) of the emergent wetland (E14).

42. To place fill for the northbound lane widening and relocate an intermittent unnamed tributary to Ridge Valley Creek (HQ-TSF) (STR S38) at 40°21'23.12"N, 75°23'36.98"W. Permanent impacts of 467 linear feet (1,196 square feet) with no temporary impacts.

43. To grade the stream bank of unnamed tributary to Ridge Valley Creek (HQ-TSF) (Waterway S29) to outlet relocated Waterway S38 at 40°21'24.16"N, 75°23'37.38"W. Permanent impacts of 23 linear feet (406 square feet) with no temporary impacts.

44. To place fill for the construction of an emergency access road and relocate an intermittent unnamed tributary to Ridge Valley Creek (HQ-TSF) (STR S33) at 40°21'29.38"N, 75°23'40.68"W. Permanent impacts of 390 linear feet (3,154 square feet) with no temporary impacts.

To cut in wetland (E14) for the relocated channel of intermittent unnamed tributary to Ridge Valley Creek (HQ-TSF) (STR S33) at 40°21'19.76"N, 75°23'35.37"W. A permanent impact of 0.009 acre (404 square feet) of the emergent wetland (E15).

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E54-361. Schuylkill Conservation District, 1206 Ag Center Drive, Pottsville, PA 17901, in Frailey Township, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a stream restoration project for approximately 4,900 feet in a reach of Good Spring Creek (CWF, MF) with work consisting of re-grading of the channel and floodplain; establishment of multiple

braided channels; 44 grade control structures consisting of rock sills, log sills and boulder sills; various areas of bed armoring; various areas of embankment protection; random buried logs and woody debris; random dissipation pools; random vegetation plantings in the floodway and floodplain; random boulder placement; 3 scour pools for the purpose of deposition and removal of captured sediment; 5 rip rap aprons for existing outfall structures; excavation and backfill in various areas of the channel and embankments. The project will permanently impact 1.26 acre of wetland and temporarily impact 1.57 acre of wetland. The project begins where Good Spring Creek (CWF, MF) intersects Lomison Street and extends upstream from that point for approximately 4,900 linear feet (Tremont, PA Quadrangle, Latitude: 40°38'2.62"; Longitude: -76°24'59.55").

E58-316. Pennsylvania Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, in Middletown Township, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing structure; and to construct and maintain 27.4-foot wide prestressed spread box beam bridge across Summers Creek (CWF, MF) having a normal clear span of 31.4 feet and an underclearance of 7 feet. The project is located along S.R. 858, Section 552, Segment 0100, Offset 2573 (Lawton, PA Quadrangle, Latitude: 41°51'28.2"; Longitude: -76°6'4.2").

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636

E59-528. Tioga County Commissioners, 118 Main St, Wellsboro, PA 16901. Marsh Creek Channel Realignment and Stabilization Project in Delmar Township, **Tioga County**, ACOE Baltimore District (Keeneyville, PA Quadrangle Lat: 41° 46' 23"; Long: -77° 18' 17").

To construct, operate and maintain the stream channel embankment of Marsh Creek adjacent to an existing railroad located in Delmar Township—Tioga County which is located over Marsh Creek. The scope of the repairs is to realign Marsh Creek, install rock protection, construct stream bars and remove fill from the stream overbank in two locations.

The restoration project will consist of a combination of bank grading, stabilization, armoring, and channel relocation of Marsh Creek. The total estimated stream impacts for the project are approximately 31,528 ft² of permanent and 7,121 ft² of temporary. There are no wetlands being impacted by the project. The proposed restoration will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge, or historical sites. Marsh Creek is classified with a designated use of Warm Water Fishery (WWF). It is not listed as an approved trout or wild trout stream.

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

E63-678, PennDOT District 12-0, 825 North Gallatin Avenue, Uniontown, PA 15401, South Strabane Township, **Washington County**, ACOE Pittsburgh District.

The applicant is proposing to:

1. Remove an existing 262' long SR 70 30" culvert enclosure and construct and maintain a replacement 280' long 36" enclosure conveying an unnamed tributary to Little Chartiers Creek (HQ-WWF) with a drainage area

less than 100 acres; place and maintain fill in 263' of this same tributary. Flow in this tributary will be maintained via an underdrain pipe.

2. Remove an existing 314' long SR 70 42" culvert enclosure and construct and maintain a replacement 336' long 42" enclosure conveying a second unnamed tributary to Little Chartiers Creek (HQ-WWF) with a drainage area less than 100 acres. Remove an existing 45' long SR 1014 (Lakeview Drive) 18" pipe and construct and maintain a replacement 58' long 30" culvert conveying this same tributary. In addition, place and maintain fill in 266' of this same tributary and construct and maintain a replacement 236' of relocated channel.

3. Remove an existing 50' long bridge conveying a third unnamed tributary to Little Chartiers Creek with a drainage area of 1.65 square mile and restore the stream banks in the location of the bridge as onsite stream mitigation.

4. In addition, place and maintain scour protection in 78' of unnamed tributaries to Little Chartiers Creek (HQ-WWF) with drainage areas less than 100 acres; permanently impact 0.14 acre of PEM and 0.03 acre of PFO wetlands; construct and maintain roadway associated stormwater outfalls; and temporarily impact 112' of stream for the purpose of constructing these encroachments. Wetland mitigation will take place offsite at State Game Lands 302 in Richhill Township, Greene County (Wind Ridge Quadrangle; North 11.9 inches and West 3.5 inches; Latitude 39° 57' 8.4", Longitude -80° 29' 8.1). Stream mitigation will take place onsite and offsite in

Chartiers Township, Washington County (Canonsburg Quadrangle; North 4.5 inches and West 16.25 inches; Latitude 40° 16' 33.4" and Longitude -80° 14' 44.7").

These encroachments are associated with the SR 70 improvement project extending from the SR 136 (Beau Street) Interchange to the SR 70/79 South Junction Interchange in South Strabane Township, Washington County (Washington East Quadrangle; Beginning North 10 inches and West 13.75 inches, Latitude 40 11' 2.1" and Longitude -80 13' 37.7"; and extending to North 7.75 inches and West 7.75 inches, Latitude 40 9' 44" and Longitude -80 11' 37.8").

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

E25-775, PA DOT District 1-0, 255 Elm Street, Oil City, PA 16301. SR 4016 Millfair Road, in Millcreek and Fairview Townships, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 41°, 4', 3"; W: -80°, 12', 4").

To realign and elevate SR 4016 in order to span two existing at-grade railroad crossings in order to address safety concerns with vehicular traffic. The project proposes to permanently impact 0.91 acre of wetlands, temporarily impact 0.09 acre of wetlands and permanently impact 0.05 acre of open water in the Lake Erie watershed in Millcreek and Fairview Townships, Erie County. The applicant proposes to debit 1.28 acre of PEM wetland credits from PennDOT's Houghton Wetland Mitigation Bank.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, PO Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. Comments may also be submitted via email to tanks@pa.gov. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based.

The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.

<i>SSIP Application No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
15017	Borough of Grove City 123 West Main Street Grove City, PA 16127-0110 Attn: Vance Oakes	Mercer	Springfield Township	2 ASTs storing petroleum products	25,000 gallons total
15018	Lackawanna Energy Center LLC One South Wacker Drive Chicago, IL 60606 Attn: Gordon Gray	Lackawanna	Jessup Borough	1 AST storing aqueous ammonia 1 AST storing diesel fuel	35,000 gallons 3,500 gallons

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hegins Township Schuylkill County	PAR202254	Mi Windows And Doors LLC 650 West Market Street PO Box 370 Gratz, PA 17030	Pine Creek—6-C	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Palmer Township Northampton County	PAR802264	Rolling Frito Lay Sales LP 408 Iverhaddon Trail Bel Air, MD 21014	Bushkill Creek—1-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0087637— SEW	Thomas S. Rodas (Mountain View Terrace MHP) 1190 Wyndsong Drive York, PA 17403	Cumberland County/ Upper Frankford Township	UNT Conodoguinet Creek/7-D	Y
PA0020508— SEW	McConnellsburg Sewer Authority PO Box 681 McConnellsburg, PA 17233	Fulton County/ McConnellsburg Borough	Big Cove Creek/13-B	Y

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032514 (Sewage)	Denton Hill State Park 5661 US 6 West Coudersport, PA 16915	Potter County Ulysses Township	Ninemile Run (9-A)	Y
PA0228893 (Sewage)	Liberty Area Municipal Authority Wastewater Treatment Plant 4810 Blockhouse Road Liberty, PA 16930-9118	Tioga County Liberty Township	Blockhouse Creek (9-A)	Y

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0221279 (Sewage)	Station Road Properties Owner Association 7040 Station Road Erie, PA 16510	Erie County Harborcreek Township	Unnamed Tributary to the Sixmile Creek (15-A)	Y
PA0000329 (IW)	PA American Water Ellwood 907 Lundys Lane Ellwood City, PA 16117	Lawrence County Wayne Township	Slippery Rock Creek (20-C)	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401

NPDES Permit No. PA0028614, Sewage, **Spring City Borough**, 6 South Church Street, Spring City, PA 19475.

This proposed facility is located in Spring City Borough, **Chester County**.

Description of Action/Activity: Approval for a renewal of NPDES permit for discharge from a facility known as Spring City Borough STP to Schuylkill River in Watershed(s) 3-D.

NPDES Permit No. PA0244813, Sewage, **Phillip and Frances Sanderson**, 4802 Sangamore Road, Bethesda, MD 20816.

This proposed facility is located in Schuylkill Township, **Chester County**.

Description of Action/Activity: To discharge from a facility known as Sanderson Properties to Jug Hollow, a Tributary to the Schuylkill River in Watershed(s) 3-F.

NPDES Permit No. PA0052230, Sewage, **Spring Hill Farm WWTF Association**, P. O. Box 756, Chadds Ford, PA 19317.

This proposed facility is located in Chadds Ford Township, **Delaware County**.

Description of Action/Activity: Approval for a renewal of NPDES permit to discharge from a facility known as Spring Hill Farm STP to unnamed Tributary to Webb Creek in Watershed(s) 3-G.

NPDES Permit No. PA0040576, Sewage, **Valleybrook Homeowners Associations, Inc.**, P. O. Box 394, Chester Heights, PA 19017-394.

This proposed facility is located in Chester Heights Borough, **Delaware County**.

Description of Action/Activity: Approval for a renewal NPDES permit to discharge from a facility known as Valley Brook Homeowners Association STP.

NPDES Permit No. PA0011541, Industrial Stormwater, **Sunoco Partners Marketing & Terminals, LP**.

This proposed facility is located in Darby Township, **Delaware County**.

Description of Action/Activity: Approval for a renewal NPDES permit to discharge from a facility known as Darby Creek Tank Farm to Darby Creek in Watershed(s) 3-G.

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

NPDES Permit No. PA0264032, SIC Code 8800, **Mark Marshall**, 3813 Williams Road, Erie, PA 16510.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

NPDES Permit No. PA0264059, SIC Code 8800, **Christopher Carpin**, 3715 Williams Road, Erie, PA 16510.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

NPDES Permit No. PA0273171, SIC Code 8800, **John Kleiner**, 3777 Williams Road, Erie, PA 16510.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

NPDES Permit No. PA0264041, SIC Code 8800, **Garth Mathe**, 3749 Williams Road, Erie, PA 16510.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900

WQM Permit No. 0913404, Sewage, Amendment, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

This proposed facility is located in Richland Township, **Bucks County**.

Description of Action/Activity: Replacement of the existing pump station with all new facilities, wet well, valve vault, meter building pumps.

WQM Permit No. 1507415, Sewage, Transfer, **Delcora**, P. O. Box 999, Chester, PA 19016.

This proposed facility is located in Pocopson Township, **Delaware County**.

Description of Action/Activity: Permit transferring from Pocopson Township to Delcora.

WQM Permit No. 1506415, Sewage, Renewal, **Wallace Township Municipal Authority**, 1250 Creek Road, P. O. Box 96, Glenmoore, PA 19343.

This proposed facility is located in Wallace Township, **Chester County**.

Description of Action/Activity: Permit renewal for continued operation of the WQM Part II Permit treatment plant with drip irrigation.

WQM Permit No. 0999424, Sewage, Transfer, **Mark Piccone**, 52 Hafler Road, Sellersville, PA 18960.

This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Action/Activity: Permit transferring from Nicole & Thomas Moyer to Mark Piccone.

WQM Permit No. WQG02151507, Sewage, **Tel Hai Retirement Community**, 1200 Tel Hai Circle, P. O. Box 190, Honey Brook, PA 19344.

This proposed facility is located in Honey Brook Township, **Chester County**.

Description of Action/Activity: Construction and operation of a pump station.

WQM Permit No. 1592402, Sewage, Renewal, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located in Willistown Township, **Chester County**.

Description of Action/Activity: Approval for renewal of continued operation of a sewage treatment plant with land application.

WQM Permit No. 0988432, Sewage, Transfer, **Nouhad & Maureen Saliba**, 1775 York Avenue Apt #29G, New York, NY 10128.

This proposed facility is located in Solebury Township, **Bucks County**.

Description of Action/Activity: Permit transfer from Lawrence & Andrea Rossi to Maureen & Nouhad Saliba.

WQM Permit No. 4615408, Sewage, **Lower Gwynedd Township Municipal Authority**, 1130 N Bethlehem Pike, Spring House, PA 19477.

This proposed facility is located in Lower Gwynedd Township, **Montgomery County**.

Description of Action/Activity: Converting a dry-well into a larger wet well.

WQM Permit No. WQG02151506, Sewage, **South Coatesville Borough**, 136 Modena Road, South Coatesville, PA 19320.

This proposed facility is located in South Coatesville Borough, **Chester County**.

Description of Action/Activity: Construction and operation of a sewer extension.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

WQM Permit No. 3515403, Sewage, SIC Code 4952, **Scranton Sewer Authority**, 312 Adams Avenue, Scranton, PA 18503.

This proposed facility is located in the City of Scranton, **Lackawanna County**.

Description of Proposed Action/Activity: Construction of a 120,000 gallon combined sewer overflow (CSO) off-line pipe storage system, known as Von Storch Outfall #11 CSO Storage Facility, located northwest of the intersection of Von Storch Avenue and Glen Street in the City of Scranton. During significant rainfall events as flow in the combined sewer increases, flow will be diverted from the interceptor to the storage system until it is completely filled after which excessive CSO flows will continue down the interceptor to permitted outfalls throughout the conveyance system. After the storm, pumps will be activated to convey the stored flow back to the interceptor sewer for treatment and disposal at the Scranton Sewer Authority's wastewater treatment plant. The project also includes storm sewer separation in the area of Von Storch Avenue and a new regulator structure to meter combined sewer overflows to the Lackawanna River.

WQM Permit No. 3515404, Sewage, SIC Code 4952, **Scranton Sewer Authority**, 312 Adams Avenue, Scranton, PA 18503.

This proposed facility is located in Dunmore Borough, **Lackawanna County**.

Description of Proposed Action/Activity: The project is for the construction and operation of an off-line 30,000 gallon storage/conveyance conduit to capture overflow from the existing Drinker Street CSO regulator. The conduit consists of approximately 110 linear feet of 84-inch diameter steel reinforced polyethylene pipe and includes a precast concrete valve vault placed on the outlet end to house a flow meter and an electronically controlled pinch valve. A metered overflow weir at the head of the storage structure is included in the design.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

WQM Permit No. 2115201, CAFO, **Wingert Farms**, 5497 Shade Lane, Alexandria, PA 16611.

This proposed facility is located in Porter Township, **Huntingdon County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of 100-foot diameter, 12-foot deep circular concrete in-ground storage structure with 10-inch thick concrete, steel reinforced walls and a 5-inch thick concrete steel reinforced floor at 4,000 psis. The floor will be built with a 12" deep sump for pumping out the tank. Two push off ramps will be included for the manure coming from the heifer barn's concrete barnyard and directly from the barn. All manure will be scraped from the heifer barn. The capacity was designed to hold 587,519 gallons at a 24-inch freeboard, a 25-year, 24-hour storm of 44,820 gallons (at 4.61 inches of rainfall), a 12-month rainfall of 298,250 gallons (40.70 inches/year of rainfall plus barnyard runoff). The annual production is 1,307,884 gallons of manure. With an effective capacity of 542,698 gallons the storage has a 4.98 month capacity.

WQM Permit No. 6799201, Amendment No. 1, Industrial Waste, **SC Holdings, Inc.**, 100 Brandywine Boulevard, Suite 300, Newtown, PA 18940-4000.

This proposed facility is located in Dover Township, **York County**.

Description of Proposed Action/Activity: Permit approval for the modifications of existing facilities consisting of replacement of two sand filters with a bag filter and an alternate sand filter. Replacement of a tray air stripper unit with an alternate fine bubble aeration air stripper. Removal of two vapor phase carbon units.

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

WQM Permit No. WQG01651501, **LCT Energy LP**, 938 Mount Airy Drive Suite 200, Johnstown, PA 15904-6819.

This proposed facility is located in Donegal Township, **Westmoreland County**.

Description of Proposed Action/Activity: Construction of a SFTF.

WQM Permit No. 0415401, **Franklin Township Municipal Authority**, 700 Harmony Fisher Avenue, Ellwood City, PA 16117.

This proposed facility is located in Franklin Township, **Beaver County**.

Description of Proposed Action/Activity: 74 sewer residential/commercial sewer connections and new small pump station.

WQM Permit No. 6315406, SIC Code 4952, **North Strabane Township Municipal Authority Washington County**, 68 E Pike Street, Canonsburg, PA 15317-1375.

This proposed facility is located in Cecil Township, **Washington County**.

Description of Proposed Action/Activity: Installation of gravity sewers, manholes, stream crossings, wetland crossing, rail road crossing, and road crossings.

WQM Permit No. 0215409, SIC Code 4952, **Findlay Township Municipal Authority**, 1700 Beaver Grade Road, Moon Township, PA 15108-3193.

This existing facility is located in Moon Township, **Allegheny County**.

Description of Proposed Action/Activity: Construction of a pump station and sewer extension.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

WQM Permit No. 3301402 A-2, Sewage, **Big Run Area Municipal Authority**, P. O. Box 477, Big Run, PA 15715.

This existing facility is located in Big Run Borough, **Jefferson County**.

Description of Proposed Action/Activity: Improvements to existing wastewater treatment plant.

WQM Permit No. 4391413 A-1, Sewage, **Sunnyview MHC LLC**, PO Box 382, Berwick, PA 18603.

This existing facility is located in Pymatuning Township, **Mercer County**.

Description of Proposed Action/Activity: Amendment to add erosion chlorination, dechlorination and flow monitoring at discharge. Remove liquid chlorination, rapid sand filters and effluent pumping discharge.

WQM Permit No. 2515405, Sewage, **Mark Marshall**, 3813 Williams Road, Erie, PA 16510.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. 2515407, Sewage, **Christopher Carpin**, 3715 William Road, Erie, PA 16510.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. 2515404, Sewage, **John Kleiner**, 3777 Williams Road, Erie, PA 16510.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. 2515406, Sewage, **Garth Mathe**, 3749 Williams Road, Erie, PA 16510.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI015114016-2	Wexford Development, LLC 3535 Market Street, Suite 1230 Philadelphia, PA 19104	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF
PAI015114011-6	Liberty Property Limited Partnership 1628 John F. Kennedy Boulevard Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Delaware River WWF-MF
PAI011515005	John P. Stewart 347 North Pottstown Pike Exton, PA 19341	Chester	West Caln Township	Birch Run HQ-CWF
PAI010909007(R)	H.M.H. Limited Partners 374 Easton Road Warrington, PA 18976	Bucks	Springfield Township	Cobbs Creek EV-MF
PAI015115004	Property Exchange Agent, LP 6 East 45th Street, Suite 801 New York, NY 10017	Philadelphia	City of Philadelphia	Lower Schuylkill River WWF-MF
PAS10-5312-R4	Philadelphia Authority for Industrial Development (PAID) 1500 Market Street, Suite 2600 Centre Square Philadelphia, PA 19102	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024515006	DEPG Stroud Associates III, LP 521 Plymouth Road, Suite 118 Plymouth Meeting, PA 19462	Monroe	Stroud Township	Wigwam Run (HQ-CWF, MF) Pocono Creek (HQ-CWF, MF)

Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI055615004	Ringer Hill Wind, LLC 45 Main Street, Suite 536 Brooklyn, NY 11201	Somerset County	Addison and Elk Lick Townships	Cucumber Run (WWF); Christner Run (HQ-CWF); Laurel Run (CWF); Big Shade Run (CWF); Little Shade Run (CWF); Zehner Run (HQ-CWF)

VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
North Whitehall Township Lehigh County	PAG02003915009	DEPG Schnecksville Associates, LLC 521 Plymouth Rd. Ste. 188 Plymouth Meeting, PA 19462	UNT to Coplay Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583

Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Menallen Township Adams County	PAG02000115025 Issued	Jason Horowitz Aspers DPP XIV LLC 9010 Overlook Boulevard Brentwood, TN 37027	Quaker Run/ TSF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
Franklin Township Adams County	PAG02000115028 Issued	George T. Steinberger, Jr. 3625 Bullfrog Road Fairfield, PA 17320	UNT to Marsh Creek/CWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
Snyder Township Blair County	PAG02000715017 Issued	Federal Carbide One Eagle Ridge Road Tyrone, PA 16686	Bald Eagle Creek/TSF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 ext. 5
Middletown Borough Dauphin County	PAG02002215031 Issued	Middletown Area School District 55 West Water Street Middletown, PA 17057	Swatara Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Derry Township Dauphin County	PAG02002215024 Issued	169 Chocolate Group LLC 659 Spring Garden Drive Middletown, PA 17057	Spring Creek/ WWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
West Donegal Township Lancaster County	PAG02003615104 Issued	Masonic Village One Masonic Drive Elizabethtown, PA 17022	Conoy Creek/ TSF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster PA 17601 717-299-5361 ext. 121
Jackson Township Lebanon County	PAG02003815026 Issued	Curvin Good 151 Hergelrode Drive Myerstown, PA 17067	Quarry/ Tulpehocken Creek, CW/TSF overlap	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
North Lebanon Township Lebanon County	PAG02003815024 Issued	Niraj R. Parekh 265 North Hershey Road Harrisburg, PA 17112	UNT to Quittapahilla Creek/TSF, MF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
Spring Garden Township York County	PAG02006715052 Issued	Springlane LLC George Bullard 3164 Hollow Road Frazer, PA 19355	UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

*Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Receiving
Water/Use**Contact Office &
Phone No.*

Penn Township York County	PAG02006715062 Issued	Hanover Wesleyan Church Dave Hoover 701 Black Rock Road PO Box 861 Hanover, PA 17331	Gitts Run— Tributary to Oil Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
East Manchester Township York County	PAG02006715073 Issued	Brunner Island, LLC Thomas Hickes 1400 Wago Road Mount Wolf, PA 17347-0221	Susquehanna River/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Codorus Township York County	PAG02006715055 Issued	Hillandale Gettysburg LP James Bailey 2856 Daron Road Spring Grove, PA 17362	UNT to Codorus Creek/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Dillsburg Borough York County	PAG02006715058 Issued	Timothy Colgan, Esquire 130 West Church Street Dillsburg, PA 17019	Dogwood Run/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701**Facility Location &
Municipality**Permit No.**Applicant Name &
Address**Receiving
Water/Use**Contact Office &
Phone No.*

Bradford County Troy Township	PAG02000815011	Lee Cummings 6521 Fall Brook Rd Troy, PA 16947		Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Bradford County Athens Township	PAG02000815012	Trehab P O Box 366 35 Public Avenue Montrose, PA 18801		Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Centre County Boggs Twp	PAG02001415012(1)	Hoon Won CNG Bald Eagle LLC 1215 Manor Drive Ste 302 Mechanicsburg, PA 17055	Bald Eagle Creek, TSF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Potter Township	PAG02001415016	Tri-Municipal Park 134 N. Hoffer Ave Centre Hall, PA 16828	Cedar Run, CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Centre County College Township	PAG02001415020	Thomas F Songer, II Torrion Group, LLC 1951 Pine Hall Rd Ste 150 State College, PA 16801	Slab Cabin Run, CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

NOTICES

7037

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Columbia County Town of Bloomsburg	PAG02001915008	Michael Herman Bloomsburg University 400 East Second Ave Bloomsburg, PA 17815	Kinney Run, CWF	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Northumberland Rush Township	PAG02004915012	Don Cotner Farms LP 127 Rushtown Road Danville, PA 17821	UNT Logan Run (CWF, MF)	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4
Union County Kelly Township	PAG02006015009	QSLPA Investments of Ohio LTD 1388 State Route 487 Bloomsburg, PA 17815	UNT to West Branch of Susquehanna River, WWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860
<i>Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Brighton Township Beaver County	PAG02000415012	Brighton Township 1300 Brighton Road Beaver, PA 15009	Two Mile Run (WWF)	Beaver County Conservation District, 156 Cowpath Road, Aliquippa, PA 15001 (724) 378-1701
Center Township Beaver County	PAG02000412015R-1	Center Township 224 Center Grange Road Aliquippa, PA 15001	UNT to Moon Run (WWF)	Beaver County Conservation District, 156 Cowpath Road, Aliquippa, PA 15001 (724) 378-1701
Cecil Township and Peters Township Washington County	PAG02006315035	Valley Brook Country Club 425 Hidden Valley Road McMurray, PA 15317	Chartiers Creek (WWF); McPherson Creek (WWF)	Washington County Conservation District, Suite 105, 2800 North Main Street, Washington, PA 15301 (724) 705-7098
North Strabane Township Washington County	PAG02006315044	Allegheny Health Network, Four Allegheny Center, East Commons Professional Pittsburgh, PA 15212	UNT to Chartiers Creek (WWF)	Washington County Conservation District, Suite 105, 2800 North Main Street, Washington, PA 15301 (724) 705-7098
Bentleyville Borough Washington County	PAG02006315046	Golden Triangle Construction, 8555 Old Steubenville Pike Imperial, PA 15126	UNT to North Branch Pigeon Creek (WWF)	Washington County Conservation District, Suite 105, 2800 North Main Street, Washington, PA 15301 (724) 705-7098
Franklin Township Butler County	PAG02001015038	J&J Real Property LLC PO Box 133 Zelienople, PA 16063	Mulligan Run CWF	Butler County Conservation District 724-284-5270

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Butler Township Butler County	PAG02001015042	Butler Sitework Associates LLC 1765 Merriman Road Akron, OH 44313	UNT Sullivan Run WWF	Butler County Conservation District 724-284-5270
Madison Township Clarion County	PAG02001615009	PTV Rimersburg LLC 1563 Woodward Dr. Ext. Greensburg, PA 15601	UNT Redbank Creek CWF	Clarion County Conservation District 814-297-7813
City of Titusville Crawford County	PAG02002015003	Sheetz Inc 817 Brookfield Drive Seven Fields, PA 16046	Oil Creek CWF	Crawford County Conservation District 814-763-5269
Vernon Township Crawford County	PAG02002015006	Cohn & Cohn Investments LLC PO Box 2005 Columbia, SC 29202	French Creek WWF	Crawford County Conservation District 814-763-5269
Vernon Township Crawford County	PAG02002015007	Street Track 'N' Trail Inc 13723 Conneaut Lake Road Conneaut Lake, PA 16316	Conneaut Outlet WWF	Crawford County Conservation District 814-763-5269
Millcreek Township Erie County	PAG02002515004(1)	Citadel Development Company PO Box 8328 Erie, PA 16506	Walnut Creek CWF; MF	Erie County Conservation District 814-825-6403

General Permit Type—PAG-03

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Providence Township Montgomery County	PAR230076	GlaxoSmithKline LLC 1250 South Collegeville Road PO Box 5089 Collegeville, PA 19426	Doe Run & Unnamed Tributary of Donny Brook—3-E	Southeast Region Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Philadelphia City Philadelphia County	PAR600030	Orthodox Auto Co. Inc. 5247 Unruh Avenue Philadelphia, PA 19135	Delaware River—3-J	Southeast Region Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Richland Township Bucks County	PAR140022	Avery Dennison Corp 35 Penn-Am Drive Quakertown, PA 18951	Unnamed Tributary of Beaver Run and Unnamed Tributary of Tohickon Creek—2-D	Southeast Region Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Hazle Township Luzerne County	PAG032216	City of Hazleton Hazleton Regional Airport 40 North Church Street Hazleton, PA 18201	Black Creek—05D	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Pittston Township Luzerne County	PAG032215	A Duie Pyle Co. PO Box 564 650 Westtown Road West Chester, PA 19381-0564	Collins Creek—5-A/CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Franklin County Antrim Township	PAR213512	New Enterprise Stone & Lime Co., Inc. 3912 Brumbaugh Road New Enterprise, PA 16664-9137 New Enterprise Stone & Lime Co. Greencastle Transit Mix Plant 1355 Buchanan Trail West Greencastle, PA 17225	UNT to Conococheague Creek/WWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County Mount Pleasant Township	PAR603571	Hartlaub & Sons Used Auto Parts Inc. 270 Kuhn Road Littlestown, PA 17340	UNT of South Branch Conewago Creek/WWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County Shrewsbury Township	PAR803690	First Student Inc. 600 Vine Street, Suite 1400 Cincinnati, OH 45202 First Student Inc. No 20578 75 Theatre Road Glen Rock, PA 17327	UNT to South Branch Codorus Creek/CWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Dauphin County Lower Swatara Township	PAR803692	Highspire Terminals—DE LLC PO Box 2621 Harrisburg, PA 17105 Highspire Terminals—DE Middletown Bulk Petroleum Storage Terminal 911 South Eisenhower Blvd. Middletown, PA 17057	UNT to Buser Run/ WWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Dauphin County Middletown Borough	PAR803688	First Student Inc. 600 Vine Street Suite 1400 Cincinnati, OH 45202 First Student Inc. No 20576 461 Spruce Street Middletown, PA 17057	UNT to Swatara Creek/WWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County Guilford Township	PAR703518	Allegheny Energy Supply Company LLC 800 Cabin Hill Drive Greensburg, PA 15601-1689 Allegheny Energy Supply Co. Chambersburg Units 12 & 13 Alleman Road Marion, PA 17235	UNT to Conococheague Creek/WWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Berks County Ontelaunee Township	PAG033531	Americold Logistics LLC 41 Orchard Lane PO Box 753 Leesport, PA 19533-0753	Schuylkill River/ WWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County Guilford Township	PAR703507	New Enterprise Stone & Lime Co. Inc. 3912 Brumbaugh Road New Enterprise, PA 16664-9137 New Enterprise Stone & Lime Co. Chambersburg Blacktop Plant 2921 Stone Quarry Road Chambersburg, PA 17202	UNT of Conococheague Creek/WWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Franklin County Southampton Township	PAR123551	Wenger's Feed Mill Inc. 101 West Harrisburg Avenue Rheems, PA 17570-0026 <hr/> Wenger's Feed Mill Inc. Shippensburg Mill 1122 Mount Rock Road Shippensburg, PA 17257	UNT to Furnace Run/CWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County Fairview Township	PAR703516	CRS Reprocessing LLC Lewisberry Facility 569 Industrial Drive Lewisberry, PA 17339	Fishing Creek/ TSF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Dauphin County Williams Township	PAR803724	Shipley Energy 415 Norway Street York, PA 17403 <hr/> Shipley Energy Williamstown Bulk Petroleum Storage Terminal PA Route 209 Williamstown, PA 17098	Wiconisco Creek/ WWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Shamokin Township Northumberland County	PAG034831	Stoneroad U-Pull It, Inc. 699 Holly Road Paxinos, PA 17860-7329	Unnamed Tributary of Bennys Run—6-B	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Castanea Township Clinton County	PAR804882	PVS Chloralkali, Inc. 297 W Allison Street Lock Haven, PA 17745	Bald Eagle Creek— 9-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Pittsburgh City Allegheny County	PAG036136	Ok Grocery Co. 755 Beechnut Drive Pittsburgh, PA 15205-1803	Chartiers Creek— 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-4

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Westtown Township Chester County	PAG040203	Samuel & Rina Atlee 702 Spring Line Drive West Chester, PA 19382	Unnamed Tributary of Plum Run Watershed 3-H	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Franklin County Lurgan Township	PAG043664	Kent D. Garman 16280 Cumberland Highway Newburg, PA 17244	UNT to Clippingers Run/WWF and MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-8

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Susquehanna Water Pollution Control Facility 4160 Blue Rock Road Washington Boro, PA 17582 Lancaster County/ Manor Township	PAG083556	Lancaster Area Sewer Authority 130 Centerville Road Lancaster, PA 17603	Same As Facility	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Broad Top City Wastwater Treatment Plant Railroad Avenue PO Box 220 Broad Top City, PA 16621 Huntingdon County/ Broad Top City Borough	PAG083593	Broad Top City Borough PO Box 220 Broad Top City, PA 16621	Same As Facility	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-9

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Juniata County/ Lack Township Anthony's Septic Service 192 Pumping Station Road East Waterford, PA 17021	PAG09-3521T	Mr. John Anthony Anthony's Septic Service 192 Pumping Station Road East Waterford, PA 17021	Same As Facility	DEP—SCRO— Clean Water 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

STATE CONSERVATION COMMISSION**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
We-Kings Farm 6028 Guitner Road Greencastle, PA 17225	Franklin	144.67	529.37	Beef and Poultry	NA	Approved

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Furnace Hill Farm 258 Albright Road Newmanstown, PA 17073	Lebanon	0	346.06	Swine	NA	Approved
Swatara Swine Farm 1921 Blacks Bridge Road Annville, PA 17003	Lebanon	0	593.88	Swine	NA	Approved
MACH Farm 651 Pine Road Palmayra, PA 17078	Lebanon	0	595	Swine	NA	Approved
Werner Acres LLC 897 N Lancaster Street Jonestown, PA 17038	Lebanon	529.3	861.93	Turkey	NA	Approved
Tim Goss Goss Family Farms 123 Decatur Rd. McClure, PA 17841	Mifflin	280	947.34	Swine	NA	Approved
Dale Stoltzfus 160 Farm View Road Schuylkill Haven, PA 17972	Schuylkill	302.0	133.86	Ducks	N/A	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Permit. 1315502MA, Public Water Supply.

Applicant	Mahoning Manor Estate Home Owner's Association 45 White Birch Lane Lehigh, PA 18235
[Township or Borough]	Mahoning Township, Carbon County
Responsible Official	Franklin Leon Morgan Vice President 45 White Birch Lane Lehigh, PA 18235
Type of Facility	PWS
Consulting Engineer	Eric S. Lundy, PE Nittany Engineering & Associates, 2836 Earlstown Road, Suite 1 Centre Hall, PA 16828
Construction Permit Issued	11/06/2015

Permit. 2520096, Public Water Supply.

Applicant	PA American Water 800 W. Hershey Park Drive Hershey, PA 17033
[Township or Borough]	Lehman Township Pike County
Responsible Official	Mr. David Kaufman Vice President-Engineering
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Daniel Rickard, PE PA American Water Company 2699 Stafford Avenue Scranton, PA 18505
Operation Permit Issued	November 06, 2015

Permit. 5215502MA, Public Water Supply.

Applicant **PA American Water**
(Saw Creek WTP)
800 W. Hershey Park Drive
Hershey, PA 17033

[Township or Borough] Lehman Township
Pike County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Mr. Craig Darosh, PE
PA American Water Company
4 Wellington Blvd. Ste # 2
Wyomissing, PA 19610

Construction Permit Issued Date November 24, 2015

Responsible Official Kenneth S. Packer, Chairman
Beech Creek Borough Authority
P. O. Box 216
51 Locust Street
Beech Creek, PA 16822

Type of Facility Public Water Supply

Consulting Engineer Kerry A Uhler, Jr., P.E., PLS
Kerry A Uhler & Associates, Inc.
140 West High Street
Bellefonte, PA 16823

Permit Issued November 20, 2015

Description of Action Authorizes Beech Creek Borough Authority to repair and repaint the Authority's 0.2 MG and 0.4 MG welded steel potable water storage tanks individually.

Permit. 5215502MA, Public Water Supply.

Applicant **PA American Water**
(Saw Creek WTP)
800 W. Hershey Park Drive
Hershey, PA 17033

[Township or Borough] Lehman Township
Pike County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Mr. Craig Darosh, PE
PA American Water Company
4 Wellington Blvd. Ste # 2
Wyomissing, PA 19610

Construction Permit Issued Date November 24, 2015

Empire Mobile Home Park (Public Water Supply) Potter Township, Centre County: On November 18, 2015, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Empire Mobile Home Park, Potter Township, **Centre County**. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E., (570) 327-3650).

Country Club Park (Public Water Supply) Potter Township, Centre County: On November 18, 2015, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Country Club Park, Potter Township, **Centre County**. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E., (570) 327-3650).

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Operations Permit issued to: Southwestern Pennsylvania Water Authority, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (PWSID #5300017) Cumberland Township, **Greene County** on November 20, 2015 for the operation of facilities approved under Construction Permit #3015505MA.

Operations Permit issued to: Richland Township Municipal Authority, 2012 Kramer Road, Gibsonia, PA 15044, (PWSID #5020018) Richland Township, **Allegheny County** on November 20, 2015 for the operation of facilities approved under Construction Permit #0215509.

Permit No. 3015509MA, Minor Amendment. Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**
PO Box 187
1442 Jefferson Road
Jefferson, PA 15344

[Borough or Township] German Township

County **Fayette**

Type of Facility Little Cleveland Area waterline

Permit. 5815502MA, Public Water Supply.

Applicant **PA American Water**
(Montrose WTP)
800 W. Hershey Park Drive
Hershey, PA 17033

[Township or Borough] Bridgewater Township
Susquehanna County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Mr. Jeremy A. Nelson, PE
PA American Water Company
2699 Stafford Avenue
Scranton, PA 18505

Construction Permit Issued Date November 24, 2015

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. 1815502-MA—Construction—Public Water Supply.

Applicant **Beech Creek Borough Authority**

Township/Borough Beech Creek Borough & Township and Liberty Township

County **Clinton and Centre**

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Permit to Construct November 20, 2015
Issued

Permit No. 3015508MA, Minor Amendment. Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**
PO Box 187
1442 Jefferson Road
Jefferson, PA 15344

[Borough or Township] Whiteley Township

County **Greene**

Type of Facility Long Woods Road waterline

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Permit to Operate November 20, 2015
Issued

Permit No. 3215502GWR, Minor Amendment. Public Water Supply.

Applicant **Green Township Municipal Authority**
PO Box 129
77 Musser Street
Commodore, PA 15729

[Borough or Township] Green Township

County **Indiana**

Type of Facility Water system

Consulting Engineer

Permit to Operate November 20, 2015
Issued

Jennerstown Municipal Authority (Public Water Supply), Somerset County: On November 30, 2015, the Safe Drinking Water Program approved the Source Water Protection (SWP) Plan for Jennerstown Municipal Authority. The personnel involved with the development of this SWP Plan are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP Plan was completed with assistance from PRWA and PA DEP's Source Water Protection Technical Assistance Program.

Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

Operation Permit issued to Commonwealth of Pennsylvania Department of Human Services, PWSID No. 6610010, Polk Borough, **Venango County.** Permit Number 6115501 issued November 19, 2015 for the operation of the public water system. This authorization is issued in response to the permit application received on September 8, 2015 to address the Notice of Violation issued on April 28, 2015.

Permit No., 2515503 Public Water Supply

Applicant **Soho Enterprises, Inc.**

Township or Borough Springfield Township

County **Erie**

Type of Facility Public Water Supply

Consulting Engineer Kenneth W. Dudash, P.E.
Letterle & Associates, Inc.
191 Howard Street, Suite 108
Franklin, PA 16323

Permit to Construct November 19, 2015
Issued

Operation Permit issued to Reynolds Water Company, PWSID No. 6430057, Pymatuning Township, **Mercer County.** Permit Number 4303502-MA1 issued November 19, 2015 for the operation of a Sodium Permanganate Chemical Feed System. This permit is issued in response to operation inspections conducted by Department of Environmental Protection personnel on October 20, 2015 and November 17, 2015.

Central Office: Bureau Director, Safe Drinking Water, PO Box 8467, Harrisburg, PA 17105-8467

Permit No. [9996216], Public Water Supply.

Applicant **[Triton Water Company]**

[Township or Borough] [Burlington, North Carolina]

Responsible Official [William C. Scott, President]

Type of Facility [Out of State Bottled Water System]

Effective Date [November 18, 2015]

Description of Action [Public Water Supply Permit to sell bottled water in Pennsylvania Rescinded. Company no longer selling bottled water in Pennsylvania. All bottled water products from Triton Water Company, Burlington, North Carolina barred for sale in Pennsylvania.]

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. 717-705-4707.

Plan Location:

Borough or Township	Borough or Township Address	County
Hamilton Township	1270 Crottletown Road,	Franklin
	Chambersburg, PA 17202	

Plan Description: Approval of a revision to the official plan of Hamilton Township, Franklin County. The project is known as Robert & Shelly Bricker. The plan provides for a small flow treatment facility to serve one new single family residence. The proposed development is located on Jacks Mill Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-28909-482-3S and the APS Id is 880835. Any permits must be obtained in the name of the property owner.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Under the Pennsylvania Sewage Facilities Act

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. 717-705-4707.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Paxton Township	506 Berrysburg Rd., Millersburg, PA, 17061	Dauphin

Plan Description: The planning module for the Donna Stroup Property, DEP Code No. A3-22934-195-3s, APS Id 885280, which proposes a new small flow treatment facility to serve two existing dwellings that were using a malfunctioning onlot sewage disposal system, is disapproved. The property is located at 1123 Shippen Dam Road. This plan is disapproved because it lacked the following items: 1) the public notification and any public comments, as described in section O of the sewage planning module instructions; 2) documentation of the establishment of specific operation and maintenance responsibilities, as described in section Q of the module instructions and Chapter 71, section 71.64(c)(5); 3) clear labelling of the small flow treatment facility discharge point on both the plot plan and topographic map, as well as the name of the receiving stream; 4) a description the interim measures being taken to address the malfunctioning system as well as a schedule of implementation; 5) the additional information (regarding permit requirements for wetland encroachment) requested in the paragraph associated with question G4b of the module form. Furthermore, it was requested that any future submission include a list of any other small flow treatment facilities located in this watershed or municipality.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Middle Paxton Township	PO Box 277 Dauphin, PA 17018	Dauphin

Plan Description: The request for planning exemption submitted for the McKelvey Road Lot 5 Subdivision, DEP Code No. A3-22924-254-2E, APS Id 885633, consisting of a subdivision to create two new single family residential building lots to use individual onlot sewage disposal systems is disapproved. The proposed development is located south of McKelvey Road, between the two junctions with Speece Lane. This plan is disapproved because it proposes the use of onlot sewage disposal systems within a high quality watershed (Clark Creek), and Chapter 71, section 71.51(b)(1)(iii) prohibits the use of planning exemptions in such cases.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Manheim Township	2412 Baltimore Pike Hanover, PA 17331	York

Plan Description: The planning module for new land development for the Tollgate Subdivision, DEP Code No. A3-67964-233-2, consisting of a seven lot subdivision

proposing individual on lot sewage disposal systems on a 12.47 acre tract is denied. The proposal is comprised of six residential lots and one commercial lot. The project is located on the south side of Tollgate Road, west of its intersection with State Road 94 (Baltimore Pike) in West Manheim Township, York County. The plan is denied because: 1) The preliminary hydrogeologic study used a theoretical background nitrate-nitrogen concentration of 2.5 mgs/l instead of determining the actual current background concentration existing beneath the site; 2) The preliminary hydrogeologic study assigned a value of 20 mgs/l nitrate-nitrogen to the septic system effluent impacting the groundwater beneath each individual lot. The appropriate, long accepted value is 45 mgs/l nitrate-nitrogen. The value for systems using denitrification systems is 20 mgs/l but there is no reference to the use of denitrification systems in the submission; and 3) The narrative states that there is a commercial lot in this proposal. There is no provision for, or discussion of how much impermeable surface will be created on that lot and what impact the impermeable surfaces will have on the recharge rate. Depending upon storm water BMPS utilized, impermeable surfaces can substantially impact the recharge available to the lot.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the

appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701

Former PA House Facility, 137 Tenth Street, East Buffalo Township, **Union County**. Advantage Engineers, LLC, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of Lewisburg GF, LP, 415 Fallow Field Road, Suite 301, Camp Hill, PA 17011, submitted a Final Report concerning remediation of site soils and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds, polychlorinated biphenyls, and metals in both soil and groundwater. The report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standards.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

USPS Former Harrisburg Vehicle Maintenance Facility, 800 Mulberry Street, City of Harrisburg, **Dauphin County**. ARM Group, Inc., 1129 West Governor Road, PO Box 797, Hershey, PA 17033-0797, on behalf of US Postal Service, 7029 Albert Pick Road, 3rd Floor, Greensboro, NC 27409, submitted a Final Report concerning remediation of groundwater contaminated with PAHs and VOCs. The report is intended to document remediation of the site to a combination of Background and Nonresidential Statewide Health Standards.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

XTO Energy—Mary Lou Joseph fmly. M.E. Mitchell #4 Well Site, Deckers Point Road, Marion Center, East Mahoning Township, **Indiana County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Twp., PA 16066 on behalf of XTO Energy Inc., 395 Airport Road, Indiana, PA 15701 has submitted a Remedial Investigation/Final Report (RIR/FR) concerning site soils contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, zinc and chloride from a release of brine. The report is intended to document remediation of the site to meet a combination of Statewide Health and Site Specific Standards. Notice of the RIR/FR was published in the *Indiana Gazette* on November 2, 2015.

Hanna/Barrett Properties, 401 Lincoln Highway & 1156 5th Avenue, Borough of East McKeesport, **Allegheny County**. KU Resources, 22 South Linden Street, Duquesne, PA 15110 on behalf of Turtle Creek Valley of Governments, 2700 Monroeville, PA 15146 has submitted a Risk Assessment/Cleanup Plan concerning site soils contaminated with arsenic, benzo(a)pyrene, benzene, antimony, and lead; soil gas containing ethylbenzene and xylenes; and groundwater containing benzene. Notice of the RA/CP was published in the *Tribune-Review* on November 12, 2015.

Hydril Company, intersection of Virginia Avenue & Beaver Street, Rochester Township, **Beaver County**. SE Technologies, LLC, 98 Vanadium Road, Bridgeville, PA 15017 on behalf of Hydril Company, 2200 West Loop South Ste 800, Houston, TX 77027 has submitted a Remedial Investigation Report (RIR) concerning site soils

and groundwater contaminated with: metals—lead, zinc, arsenic; organic hydrocarbons; volatile & semi-volatile organic compounds in specific areas of the 55 acre property. Notice of the RIR was published in the *Beaver County Times* on October 2, 2015.

Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.

Mast II Charter School, 6501 State Road, City of Philadelphia, **Philadelphia County**. Joann Van Rensselaer, Envirosearch, P. O. Box 940, Spring House, PA 19477, Ken DAurizio, 6501 NSR LLC, 765 Birch Avenue, Bensalem, PA 19020 behalf of John Parson or Mr. Charles Calvenese, 6501 NSR LLC, 735 Birch Avenue, Bensalem, PA 19020 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Site Specific Standards. PF805549.

(REVISED) Coventry House Inc., 7301 Coventry Avenue, Cheltenham Township, **Montgomery County**. Brian Evan, B&B Diversified Enterprises, Inc., P. O. Box 70, Barto, PA 19504 on behalf of Judah Labovitz, Coventry House, Inc., 7301 Coventry Avenue, Melrose Park, PA 19027 has submitted a Remedial Investigation/Cleanup Plan and Risk Assessment Report concerning remediation of site groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF 700807.

Brasalind Property Inc., 201 East Gay Street, Borough of West Chester, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335, James Moretti, Brasalind Properties, Inc., 10 Springhouse Lane, PA 19063 on behalf of David Della Porta, 220 Chestnut Associates, 55 County Club Drive, Downingtown, PA 19335 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF700820.

Enterprises Rent A Car Region CC Site, 7001 Essington Avenue, City of Philadelphia, **Philadelphia County**. Gabe Luna, P.G., ERM, 75 Valley Stream Parkway, Suite 200, Malvern, PA 19355 on behalf of Scott Schusko, Enterprise Rent-a-Car, 170 North Radnor-Chester Road, Suite 200, Radnor, PA 19087 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead, benzene, arsenic, chromium, antimony, chrysene and benzoyl(a)pyrene. The report is intended to document remediation of the site to meet the Site Specific/Statewide Health Standard. PF719112.

Boulevard Plaza, 1100 Roosevelt Boulevard, City of Philadelphia, **Philadelphia County**. Jim Mullan, Hodge Consulting Inc., 987 Haddon Avenue, Collingswood, NJ 08108 on behalf of David Lavipour, Lebanon Pad LP, 6 East 45th Street, Suite 801, New York, NY 10017 has submitted a Cleanup Plan and a Final Report concerning remediation of site groundwater contaminated with 1, 1 dichloromethane, trichloroethene, tetrachloroethene, lead, arsenic, and thallium. The report is intended to document remediation of the site to meet the Site Specific Standard. PF 619612.

4015 Magee Avenue Site, 4015 Magee Avenue, City of Philadelphia, **Philadelphia County**. Douglass Schott, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, Kurt Spiess, EMG

Remediation Services, P. O. Box 129, Edgemont, PA 19028 on behalf of Catherine Panas, Mission First Housing Group, 2042-48n Arch Street, 2nd Floor, Philadelphia, PA 19103 has submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Background Standards. PF778063.

111 East Lancaster Avenue, 111 East Lancaster Avenue Downingtown Borough, **Chester County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of Robert Bruce Balbrinie, Downingtown Investment Association, 1330 North Avignon Drive, Gladwyne, PA 19035 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF77536.

Moliettiere Residence, 3 South Esther Drive, Richland Township, **Bucks County**. Frank Lynch, Envirolink, Inc., 165 Daleville Road, Cochranville, PA 19330, Katy DiPasquale, Liberty Mutual, 100 Liberty Way, Dover, PA 03820 on behalf of Mrs. Pauline and Mr. Dave Moliettiere, 3 South Esther Drive, Quakertown, PA 18951, Melody Lakes Mobil Home Park, Melody Lakes Management LLC, Manager: Ellen Schray, 1045 North West End Blvd., Lot 600, Quakertown, PA 18951 has submitted a Final Report concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF805861.

Montague Residence, 442 Brookside Avenue, Lower Gwynedd Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains, Pennsburg, PA 18973, Ed Applegate, State Farm Insurance Company, PA Fire Claims P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Scott Montague, 442 Brookside Avenue, Ambler, TX 19002 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF805852.

George Woodward Company, 6500 Wissahickon Avenue, City of Philadelphia, **Philadelphia County**. Andy Meadows, J&J Environmental Inc., P. O. Box 370, Blue Bell, PA 19422 on behalf of Barbara Baumbach, George Woodward Company, 6500 Wissahickon Avenue, Philadelphia, PA 1911-3722 has submitted a Final Report concerning remediation of site soil contaminated with no. 4 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF805632.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to

one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

RE Invest Tire & Wheel Renewal LLC, 515—621 North College Street, Carlisle, PA 17013, Borough of Carlisle, **Cumberland County**. Sovereign Consulting, Inc., 111A North Gold Drive, Robbinsville, NJ 08691, on behalf of RE Invest Tire & Wheel Renewal, LLC, PO Box 748, Hainesport, NJ 08036, submitted a Final Report concerning remediation of site soils and groundwater contaminated with VOCs, SVOCs, pesticides, herbicides, and PCBs. The Final Report did not demonstrate attainment of the Statewide Health Standard, and was disapproved by the Department on November 24, 2015.

Tracy and Catherine Taylor Property, 883 North River Road, Halifax, PA 17032, Halifax Township, **Dauphin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, PA Fire Claims, PO Box 106110, Atlanta, GA 30348-6110; Tracy and Catherine Taylor, 883 North River Road; Nancy and Elmer Feidt, 895 North River Road; Glenn and Gloria Yeager, 421 North 5th Street; Mid Penn Bank, 894 North River Road; and Harry Frank, Simmons Management Company, 338 Locust Street, Halifax, PA

17032, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on November 19, 2015.

Chick-fil-A, Incorporated, 2801 East Market Street, York, PA 17402, Springettsbury Township, **York County**. BAI Group, 341 10th Avenue, Suite 103, Royersford, PA 19468, on behalf of Chick-fil-A, Incorporated, 5200 Buffington Road, Atlanta, GA 30349-2998, and York Development, L.P., 2127 Innerbelt Business Center, Suite 200, St. Louis, MO 63114, submitted a Final Report concerning remediation of site soils and groundwater contaminated with VOCs and Lead. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on November 20, 2015.

Oxford Commons, Route 30 and Turkey Lane, New Oxford, PA, Oxford Township, **Adams County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Oxford Commons Holdings 4, LLC, 775 Durlach Road, Stevens, PA 17578, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils contaminated with antimony and arsenic from an unregulated municipal dump. The site is being remediated to the Site Specific Standard, and the Remedial Investigation Report and Cleanup Plan were approved by the Department on November 23, 2015.

USPS Former Harrisburg Vehicle Maintenance Facility, 800 Mulberry Street, City of Harrisburg, **Dauphin County**. ARM Group, Inc., 1129 West Governor Road, PO Box 797, Hershey, PA 17033-0797, on behalf of US Postal Service, 7029 Albert Pick Road, 3rd Floor, Greensboro, NC 27409, submitted a Final Report concerning remediation of groundwater contaminated with PAHs and VOCs to attain a combination of Background and Nonresidential Statewide Health Standards. The Final Report was administratively incomplete and was disapproved by the Department on December 1, 2015.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

All American Hose (217 Titusville Road), 217 Titusville Road, Borough of Union City, **Erie County**. URS Corporation, 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876, on behalf of Parker Hannifin Corporation, 6035 Parkland Boulevard, Cleveland, OH 44124, submitted a Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soil contaminated with volatile organic compounds, semi-volatile organic compounds, metals and site groundwater contaminated with metals as listed in the Notice of Intent to Remediate. The Report was disapproved by the Department on November 24, 2015.

JMC Steel Group—Sharon Pipe Plant, 200 Clark Street, City of Sharon, **Mercer County**. TRC Environmental, 11231 Cornell Park Drive, Cincinnati, OH 45242 & ENVIRON International Corporation, 1760 Market Street, Suite 1000, Philadelphia, PA 19103, on behalf of JMC Steel Group, 1 Council Avenue, Wheatland, PA 16161, submitted a Final Report concerning the remediation of site soil contaminated with Antimony, Arsenic, Cadmium, Chromium (total), Lead, Mercury, Selenium, Zinc, Aroclor 1248, Aroclor 1254, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Dibenzofuran, Naphthalene, N-nitrosodi-n-propylamine, Ethylbenzene,

Tetrachloroethene, Trichloroethene, Xylenes (total) and site groundwater contaminated with Chloride, Nitrogen (Ammonia), PH, Sulfate, Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium (total), Chromium (III), Chromium (VI), Cobalt, Copper, Iron, Lead, Manganese, Mercury, Nickel, Nitrate as N, Selenium, Thallium, Vanadium, Zinc, PCBs (total), Aroclor 1016, Aroclor 1242, Aroclor 1248, Aroclor 1254, Aroclor 1260, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Bis[2-ethylhexyl]phthalate, Chrysene, Dibenz[a,h]anthracene, Hexachlorobenzene, Indeno[1,2,3-cd]pyrene, N-nitrosodi-n-propylamine, Pentachlorophenol, Phenanthrene, 2-Picoline, Benzene, Chlorobenzene, 1,2-Dichlorobenzene, 1,3-Dichlorobenzene, 1,4-Dichlorobenzene, 1,2,4-Trichlorobenzene, cis-1,2-Dichloroethene, Methylene Chloride, Tetrachloroethene, Trichloroethene, Vinyl Chloride, Xylenes (total), and 2,3,7,8-TCDD equivalent. The Final Report demonstrated attainment of the Site-Specific standard and was approved by the Department on July 23, 2014.

Fred Kassanitsh Property, 10595 Horseshoe Drive, Pine Township, **Crawford County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, 4250 Route 6N, Edinboro, PA 16412, on behalf of State Farm Insurance, P. O. Box 106110, Atlanta, GA 30348, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Ethylbenzene, Isopropylbenzene (Cumene), Methyl-tert-butyl-ether, Naphthalene, Toluene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 30, 2015.

Ward Trucking Diesel Fuel Release, 2722 West 11th Street, Millcreek Township, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Ward Trucking, LLC, 255 Old Route 8, Grove City, PA 16127, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Ethylbenzene, Isopropylbenzene (Cumene), Methyl-tert-butyl-ether, Naphthalene, Toluene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 1, 2015.

Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.

U.S. Steel Corporation KIP, 95 Acres Parcel, One Ben Fairless Drive, Falls Township, **Bucks County**. John A. Garges, GHD, 410 Eagleview Blvd, Suite 110, Exton, PA 19341 on behalf of Michael H. Leon, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 has submitted a Final Report concerning the remediation of site soil contaminated with vocs, svocs, metals and pcbs. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 29, 2015. PF805128.

Commercial Property, 8001 Caster Avenue, City of Philadelphia, **Philadelphia County**. Jeffery T. Bauer, Whitestone Associates Inc., 160 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Charles Muchnick, Levering Mill Company, 822 Montgomery Avenue, Suite 209, Narberth, PA 190972 has submitted a Final Report concerning the remediation of site soil contaminated with gasoline related compounds. The Final report demon-

strated attainment of the Statewide Health Standard and was approved by the Department on November 10, 2015.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170

Hazardous Waste Transporter License Reissued

Frank's Vacuum Truck Service, Inc., 1717 New Road, Niagara Falls, NY 14304. License No. PA-AH 0331. Effective Nov 19, 2015.

Hazardous Waste Transporter License Expired

Ranger Environmental Services, LLC, 10601 Highway 43, Creola, AL 36525-4537. License No. PA-AH 0809. Effective Nov 30, 2015.

Hazardous Waste Transporter License Denied

Tundra Transport, LLC, 67 Beacon Street, Buffalo, NY 14220. License No. PA-AH 0828. Effective Nov 18, 2015.

New Applications Received

Eastern Environmental Industries, LLC, PO Box 486, Mifflinville, PA 18631. License No. PA-AH 0835. Effective Nov 30, 2015.

FECCm Inc., dba Florida Environmental Compliance Corporation, 3652 Old Winter Garden Road, Orlando, FL 32805. License No. PA-AH 0834. Effective Nov 16, 2015.

Graf Brothers Leasing, Inc., 166 Lafayette Road, Salisbury, MA 01952. License No. PA-AH 0836. Effective Nov 30, 2015.

Renewal Applications Received

Action Resources, Inc., 40 County Road 517, Hanceville, AL 35077. License No. PA-AH 0650. Effective Nov 23, 2015.

Transport Sylvester & Forget Inc., 320 Rt 201, St-Stanislas-De-Kostka, QC J0S 1W0. License No. PA-AH 0791. Effective Nov 17, 2015.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170

Regulated Medical and Chemotherapeutic Waste Transporter License Voluntarily Terminated

UPMC Altoona, 620 Howard Ave, Altoona, PA 16601. License No. PA-HC 0124. Effective Nov 18, 2015.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

JPS Equipment Co., PO Box 788, Edgemont, PA 19028. License No. PA-HC 0142. Effective Nov 30, 2015.

Renewal Applications Received

JPS Equipment Co., PO Box 788, Edgemont, PA 19028. License No. PA-HC 0142. Effective Nov 30, 2015.

MDB BioMed LLC, 116 Level Road, Collegeville, PA 19426. License No. PA-HC 0269. Effective Nov 30, 2015.

RESIDUAL WASTE GENERAL PERMITS

Application Received for Determination of Applicability under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit No. WMGR079D005. New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664-9137. Determination of Applicability (DOA) under General Permit No. WMGR079 for a processing facility located in Guilford Township, **Franklin County**, for processing and beneficial use of waste asphalt shingles. The DOA was approved by Central Office on November 24, 2015.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Permit Issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Application No. WMGR023D002. Chem-Ecol Ltd., 640 Victoria Street, Cobourg, Ontario K9A 4W4. The general permit authorizes processing of waste oil (excluding used oil) and unused oil contaminated with water in mobile units for the purpose of reconditioning the oil that shall be reused by the generator of the waste oil or unused, contaminated oil. The approved processing is limited to filtration, centrifugation, ultrafiltration and vacuum distillation. General Permit was reissued by Central Office on November 24, 2015.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Permit Renewed Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Number WMGR107. General Electric International Inc., 184 South Ave, Tallmadge, OH 44278. General Permit Number WMGR107 authorizes processing of non-PCB transformer oil in mobile units prior to beneficial use as reconditioned transformer oil. The permit was renewed by Central Office on November 9, 2015.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

General Permit Application No. WMGR098SC003. Anvil International Inc., 1411 Lancaster Avenue, Columbia, PA 17512-1939.

The Southcentral Regional Office, Waste Management Program issued a determination of applicability (DOA) under Residual Waste General Permit No. WMGR098 for Anvil International Inc., 1411 Lancaster Avenue, Columbia, PA 17512-1939 in the Borough of Columbia, Lancaster County. This general permit is for the beneficial use of waste foundry system sand and sand system dusts generated by ferrous metal foundries and steel foundries for use as a construction material, or as a soil amendment or soil additive. The DOA was issued on November 23, 2015.

Persons interested in obtaining more information about this determination of applicability may contact John Oren, P.E., Permitting Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications deemed administratively complete under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal area or Site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200

Application No. 101709 Neiderer Sanitation, LLC, 1745 Storms Store Road, New Oxford, PA 17350

An application was submitted for a new municipal waste transfer station located in Oxford Township, **Adams County**. The application was deemed administratively complete by the Southcentral Regional Office on November 30, 2015.

The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the time that the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920

GP9-46-0083: David Erb, Contractors Inc. (2930 Felton Road, Norristown, PA 19401) On December 1, 2015 for a 2 Diesel-Fired Internal combustion Engines in Upper Providence Township, **Montgomery County**.

GP3-46-0127: David Erb, Contractors Inc. (2930 Felton Road, Norristown, PA 19401) On December 1, 2015 for a portable nonmetallic mineral processing plant (90 TPH)—Source ID 101 (One Extec Model C-12 Crusher with 5 Conveyors, One Extec E-7 Screen) in Upper Providence Township, **Montgomery County**.

GP14-09-0141 Donald R. Kreider, V.M.D. (1501 2nd Street Pike, Southampton, PA 18966) On December 1, 2015 for an animal crematory in Upper Southampton Township, **Bucks County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702

GP1-36-05008: Tyson Poultry, Inc. (403 South Custer Avenue, PO Box 1156, New Holland, PA 17557) on November 17, 2015, for a temporary, No. 2 oil-fired, 25.2 MMBtus/hr. boiler, under GP1, at the poultry processing facility located in Earl Township, **Lancaster County**.

GP1-06-03033: Reading Housing Authority (400 Hancock Blvd., Reading, PA 19611) on November 23, 2015, for three (3) existing natural gas/No. 2 oil-fired boilers, 12.45 MMBtus/hr. each, under GP1, at the Glenside Homes public housing site located in the City of Reading, **Berks County**. The general permit authorization was renewed.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648

GP4-55-126: Brake Technique, Inc., (196 Universal Road, Selinsgrove, PA 17870), issued November 19, 2015, for the operation of a burn-off oven pursuant to the General Plan Approval & General Operating Permit Application (BAQ-GPA/GP-4)—Burn Off Ovens, at their facility located in Penn Township, **Snyder County**.

GP4-19-194C: Patriot Metal Products, Inc. (1005 North Vine Street, Berwick, PA 18603) on November 10, 2015, to continue operation of three natural gas fired burn off ovens pursuant to the General Plan Approval & General Operating Permit Application (BAQ-GPA/GP-4)—Burn Off Ovens at their facility in Berwick Borough, **Columbia County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

GP5-30-00223A: Vista Gathering, LLC (480 Johnson Roads, Suite 100, Washington, PA 15301) on November 10, 2015, to authorize the installation and operation of five lean burn natural gas-fired compressor engines rated at 1,775 bhp and controlled by oxidation catalysts, one lean burn natural gas-fired emergency generator engine rated at 304 bhp and controlled by and oxidation catalyst, one tri ethylene glycol dehydrator (including flash tank and reboiler) rated for 150 MMSCF/day and controlled by an enclosed flare, four 8,820 gallon produced water tanks, and other miscellaneous storage tanks and associated components at the Cygrymus Compressor Station located in Gilmore Township, **Greene County**.

56-00257A: Pa. Department of Corrections (5706 Glades Pike, Somerset, PA 15501), for a GPA/GP-1 Small Gas & No. 2 Oil-Fired Combustion Units for the construction and temporary operation of a natural gas-fired with distillate oil backup, 27.7 MMBtus/hr, boiler at SCI-Laurel Highlands, located in Somerset Township, **Somerset County**, issued November 20, 2015. The boiler controls NO_x emissions with a low NO_x burner and flue gas recirculation. Boiler emissions are 27 tons of CO, 5 tons of NO_x, 2 tons of PM₁₀ and 2 tons of PM_{2.5} per year. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to the applicable requirements of 40 CFR 60, Subpart Dc and Pa. Code Title 25 Chapters 121—145. The permit includes emission limitations, and operational, monitoring, reporting, and recordkeeping requirements for the facility.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

GP3-16-162E: Neiswonger Construction (51 Heeter Road, Emlenton, PA 16373) on November 19, 2015, for the authority to construct a portable nonmetallic mineral

processing plant (Eagle Ultramax 1400-450C portable plant rated at 300 tph) consisting of a crusher, non-vibratory screen, vibratory screen, and conveyors with 8 drop points (BAQ-GPA/GP3) located at their facility in Richland Township, **Clarion County**.

GP9-16-162F: Neiswonger Construction (51 Heeter Road, Emlenton, PA 16373) on November 19, 2015, for the construction of a John Deer Model 9JDXL13.5103 500 hp at 1,900 rpm diesel engine (BAQ-GPA/GP9) located at their facility in Richland Township, **Clarion County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507

39-00006C: American Craft Brewery (7880 Penn Drive, Breinigsville, PA 18031) issued on November 24, 2015 for the construction of a Cask House for casking melt beverage products at the facility located in Upper Macungie Twp., **Lehigh County**.

48-00092B: ASSA ABLOY Svc. Center Inc (1000 Conroy Place, Easton, PA 18040) issued on November 16, 2015 for the increase in annual coating usage at the site located in Northampton Township, **Northampton County**.

48-00004B: ESSROC Cement Corp. (Route 248 and Easton Road, Nazareth, PA 18064) issued on November 16, 2015 for the use of generic engineered fuel (EF) and construction of two (2) EF receiving, dosing and conveying systems at the facility located in Nazareth Twp., **Northampton County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

08-00045B: Panda Liberty, LLC (5001 Spring Valley Road, Suite 1150 West, Dallas, TX 75244) on November 13, 2015, to incorporate the remaining 35.38 tons of volatile organic compounds (VOC) Emission Reduction Credits (ERCs) into Plan Approval 08-00045B prior to the commencement of operation of Source IDs P103 and P104 at their proposed Panda Liberty Power Project facility located in Asylum Township, **Bradford County**.

41-00084B: Panda Patriot, LLC (5001 Spring Valley Road, Suite 1150 West, Dallas, TX 75244) on November 16, 2015, to incorporate the remaining 62.38 tons of volatile organic compounds (VOC) Emission Reduction Credits (ERCs) into Plan Approval 41-00084B prior to the commencement of operation of Source IDs P103 and P104 at their proposed Panda Patriot Generation Plant facility located in Clinton Township, **Lycoming County**.

17-00001G: NRG REMA LLC (250 Power Plant Drive, Shawville, PA 16873) on November 19, 2015, the Department of Environmental Protection issued plan approval for the proposed gas addition to the utility boilers located at their Shawville Generating Station in Bradford Township, **Clearfield County**.

47-00014C: United States Gypsum Company (Plant Manager, 60 PPL Road, Danville, PA 17821) on November 19, 2015, PA Department of Environmental Protection issued plan approval for the revisions to the VOC emission restrictions for the board kiln dryer located at their Washingtonville Plant in Derry Township, **Montour County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

42-158Q: Georgia Pacific—Mt Jewett Facility (149 Temple Drive, Kane, PA 16735), on November 20, 2015, has issued a plan approval for the renewal of the NO_x Plantwide Applicability Limit (PAL) in Sergeant Township, **McKean County**. This is a Title V facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: James A. Beach, New Source Review Chief—Telephone: 484-250-5920

15-0144: Vanguard Group Inc: (PO Box 2600, PM15 Valley Forge, PA 19482) On November 12, 2015 for the construction and installation of six (6) 2014 model year, Tier 4i, diesel-fired IC engine generator sets in Tredyfrin Township, **Chester County**.

15-0145: Vanguard Group Inc: (PO Box 2600, PM15 Valley Forge, PA 19482) On November 12, 2015 for the construction and installation of one (1) 2014 model year, Tier 4i, diesel fired IC engine generator set in Tredyfrin Township, **Chester County**.

09-0224: New Seaview LLC: (725 Skippack Pike Ste 140, Blue Bell, PA 19422-1746) On November 18, 2015 to permit the construction and operation of a 40 million gallon per year used motor oil (UMO) re-refinery plant in Falls Township, **Bucks County**.

09-0007E: Waste Management Disposal Services of Pa Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) On November 18, 2015 for the construction of two (2) propane fired crystallizers in Falls Township, **Bucks County**.

46-0142C: Custom Process Services LLC (461 State Street, Eat Greenville, PA 18041-1701) On November 18, 2015 to facilitate the shake-down of sources and air cleaning devices, in East Greenville, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702

01-05037B: Gettysburg Energy & Nutrient Recovery Facility, LLC (71 Old Mill Bottom Road North, Suite 101, Annapolis, MD 21409) on November 24, 2015, for the construction and temporary operation of an energy and nutrient recovery facility utilizing egg layer manure located in Tyrone Township, **Adams County**. The plan approval was extended, with a compliance schedule.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

47-00001D: Montour LLC (P.O. Box 128, Washingtonville, PA 17884-0128) on October 8, 2015, to extend the authorization an additional 180 days from October 19, 2015 to April 16, 2016, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the dry injection system that controls sulfuric acid mist emissions from the coal-fired electric generating units located at the Montour Steam Electric Station facility located in Derry Township, **Montour County**. The plan approval has been extended.

47-00001E: Montour LLC (P.O. Box 128, Washingtonville, PA 17884-0128) on October 29, 2015, to extend the authorization an additional 180 days from October 30, 2015 to April 27, 2016, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the auxiliary boiler used for utility boiler start-up at the Montour Steam Electric Station located in Derry Township, **Montour County**. The plan approval has been extended.

17-00063A: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on November 3, 2015, to extend the authorization an additional 180 days from November 3, 2015 to May 2, 2016, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

17-00063B: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on November 3, 2015, to extend the authorization an additional 180 days from November 3, 2015 to May 2, 2016, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

32-00436A: John A. Lef Dahl Funeral Home (898 Old Route 119 North, Indiana, PA 15701) Plan Approval Extension effective on December 8, 2015, to extend the period of temporary operation of an animal crematory incinerator at the above referenced facility located in White Township, **Indiana County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328

10-330B: Butler Veterinary Associates (1761 N. Main Street, Butler, PA 16001), on November 25, 2015,

effective November 30, 2015, has issued a plan approval extension for changes in their method of operating one existing animal crematory (relating to door opening) at their facility in the Center Township, **Butler County**.

25-053F: Urick Foundry Company, a division of Ridge Tool Manufacturing Company (1501 Cherry Street, Erie, PA 16502) on November 24, 2015, effective November 30, 2015, has issued a plan approval extension for the installation of new foundry equipment capable of producing larger castings. This project will include the installation of two (2) 80-ton sand silos, two (2) bin vents, a mold making system, a new pouring/cooling/shakeout system, new sand blasting equipment, new grinding equipment and four (4) new baghouses. This facility is located in the City of Erie, **Erie County**.

62-032J: Ellwood National Forge/Ellwood National Steel (3 Front Street Irvine, PA 16329) on November 24, 2015, effective November 30, 2015, has issued a plan approval extension for the construction of two (2) 22 mmbtus/hr annealing furnaces, the removal of #7 annealing furnace from plan approval 62-032I because it was never constructed, and to establish a limit on the gas consumption for replacement degasser boiler permitted by GP1-62-032A and the annealing furnaces Source 103 & 103A permitted by 62-032D in Brokenstraw Township, **Warren County**. This is a Title V facility.

Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702

06-05112: WBLF Acquisition Co., LLC (455 Poplar Neck Road, Birdsboro, PA 19508-8300) on November 24, 2015, for the Western Berks Landfill located in Cumru Township, **Berks County**. The Title V permit was renewed.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

47-00003: Danville State Hospital (200 State Hospital Drive, Danville, PA 17821) on November 16, 2015, was issued a revised Title V operating permit to incorporate the terms and conditions of General Permit GP1-47-035 for a 12 MMBtus/hr natural gas-fired boiler located at their facility in Mahoning Township, **Montour County**. The revised Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

55-00002: Pennsylvania Department of Human Services (Selinsgrove Center, PO Box 500, Selinsgrove, PA 17870) on November 9, 2015, renewed Title V Operating Permit 55-00002 for Selinsgrove Center facility located in Penn Township, **Snyder County**. All applicable

Federal and State regulatory requirements including monitoring, recordkeeping, reporting and work practice conditions in order to demonstrate compliance with the applicable regulatory requirements have been included in the Title V operating permit for this facility.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

09-00163: The H&K Group, Inc. (901 Minsi Trail, Blooming Glen, PA 18911), On November 12, 2015 for renewal of a State Only Operating Permit (natural minor) located in Hilltown Township, **Bucks County**. The H&K Group operates an aggregate processing plant at the Blooming Glen quarry using various crushers, screeners, and conveyors. The primary pollutant of concern is particulate matter emissions (PM/PM₁₀/PM_{2.5}). The facility employs a water spray dust suppression system to minimize fugitive dust emissions. The renewal application indicates that no new sources or changes have occurred since the permit was last issued in 2010. The permit will include monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507

40-00035: QG, LLC, (594 Can-Do Expressway, Hazleton, PA 18202) The Department issued a State Only (Synthetic Minor) operating permit on November 17, 2015, for a commercial printing facility in Hazle Township, **Luzerne County**.

45-00009: Vertellus Specialties, Inc., (231 Main Street (State Route 611), Delaware Water Gap, PA 18327) The Department issued a State Only operating permit on November 17, 2015, for a basic organic chemical products manufacturer in Delaware Water Gap, **Monroe County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

17-00045: Pennsylvania Department of Corrections (1920 Technology Parkway, Mechanicsburg, PA 17050-8507) on November 12, 2015, was issued a renewal State Only (Synthetic Minor) operating permit for their Houtzdale State Correctional Institution located in Woodward Township, **Clearfield County**. The facility's sources include two (2) bituminous coal/#2 fuel oil-fired boilers, two (2) natural gas-fired boilers, two (2) diesel-fired generators and lime and ash silos. The operating permit renewal includes emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

14-00038: Valley Enterprise Container LLC (P. O. Box 230 Blanchard, PA 16826-0230) on November 16, 2015, was issued a renewal state only operating permit for their facility located in Liberty Township, **Centre County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

14-00008: Vital Chemicals USA, LLC (2042 Axemann Road, Suite 300, Bellefonte, PA 16823-8142) on November 24, 2015, was issued a renewal state only operating permit for their Titan Energy Park facility located in Spring Township, **Centre County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

17-00037: Kings Coal Sales, Inc. (PO Box 712, Philipsburg, PA 16866) on November 30, 2015, was issued a renewal state only operating permit for their Cunard Tipple facility located in Morris Township, **Clearfield County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

49-00052: Bimbo Bakeries USA, Inc. (249 North 11th St. Sunbury, PA 17801-2433) on November 30, 2015, was issued a renewal State Only (Synthetic Minor) operating permit for their Northumberland Plant 2 facility located in Northumberland Borough, **Northumberland County**. The State Only (Synthetic Minor) operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Tom Joseph, Permitting Chief—Telephone: 412-442-5226

63-00624: Golden Eagle Construction Co. Eighty Four Plant (Route 519, Eighty Four, PA 15330) on November 25, 2015, the Department issued a Synthetic Minor Operating Permit renewal for the operation of an asphalt facility located in North Strabane Township, **Washington County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

20-00043: Dunbar Asphalt Products (11203, Ellison Road, Conneaut Lake, PA 16316) on November 24, 2015, for a Synthetic Minor Permit to operate a hot mix asphalt plant located in Sadsbury Township, **Crawford County**. The emitting sources include the following: 1) Hot Mix Asphalt Batch Plant-Rotary Dryer, 2) Asphalt Cement Storage Tank Heater, 3) Hot Elevators, Screens, Bins, 4) Cold Aggregates Bins, 5) Finished Products Silos and, 6) RAP System. The facility has a limit of 495,000 tons of product per year to restrict the CO emissions to less than 100 TPY. The actual emissions reported to the Department for 2014 were: PM₁₀—11.4 tons, SO_x—3.1 tons, CO—1.2 tons, NO_x—1 ton, and VOCs—07 tons.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

15-00017: Transcontinental Pipeline, (60 Bacton Hill Rd, Frazer, PA 19355) On December 1, 2015 for the amendment of a Title V Operating Permit in East Whiteland Township, **Chester County**. Transcontinental Gas Pipeline Company operates a natural gas supply and distribution station in Frazer, PA. The existing Title V permit was amended to separate the two small generators (manufactured by Cummins and Onan) which were grouped under Source ID 748 because they are subject to different regulations than the other generator included under Source ID 748. Cummins and Onan emergency generators are subject to 40 CFR Part 60 Subpart JJJJ. The permit contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702

01-05035: Tucker Industrial Liquid Coatings, Inc. (407 North Avenue, East Berlin, PA 17316-7813) on November 17, 2015, for the surface coating facility at 407 North Avenue, located in Earl Township, **Lancaster County**. The Title-V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 01-05039A.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

10-00028: Armstrong Cement & Supply Corporation (100 Clearfield Road, Cabot, PA 16023-9531) on November 13, 2015 the Department issued a minor modification to the Title V Operating Permit for the facility located in Winfield Township, **Butler County**. The revised permit incorporates a one year compliance extension for the National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry (Cement MACT) under 40 CFR Part 63 Subpart LLL in the Title V Operating Permit. An extension was granted to the facility in a letter from the Department dated May 26, 2015. The Department also previously issued plan approval 10-028J on September 5, 2014. The plan approval authorized the baghouse and carbon injection installation.

25-00090: Zurn Industries LLC (1801 Pittsburgh Avenue, Erie, PA 16502-1916). On November 13, 2015 issued an administrative amendment to the State Operating Permit to incorporate the plan approval 24-090E requirements for the facility located in Erie City, **Erie County**.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940

42-00004: American Refining Group—Bradford (77 North Kendall Avenue, Bradford, PA 16701) for its facility

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
3/7/12	Tanks 99 and 262				0.0005	
6-7-13	80 bhp emergency generator	0.0055	0.00014	0.11	0.005	0.015
11-25-15	FGRU	0.00096	0.00111	0.26	0.156	0.065
Total Reported Increases		0.00646	0.00125	0.37	0.1615	0.080
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

23-00015: BMR-145 King of Prussia Road LP (145 King of Prussia Road, Radnor, PA 19087) for operation of an research and development facility located in Radnor Township, **Delaware County**. The operating permit was revoked because the operations at the facility has ceased.

23-000111: BMR-145 King of Prussia Road LP (145 King of Prussia Road, Radnor, PA 19087) for operation of an research and development facility located in Radnor Township, **Delaware County**. The operating permit was revoked because the operations at the facility have ceased.

23-00109: Catalyst International Inc. (1050 Ashland Ave., Folcroft, PA) for operation of a laminator, roller coating application of adhesives facility located in Folcroft Borough, **Delaware County**. The operating permit was revoked because operation has ceased at this facility.

15-00060: Southeastern Chester County Refuse Authority (SECCRA), (219 Street Road, West Grove, PA 19390) for two landfill gas fired engines and an enclosed flare in London Grove Township, **Chester County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

33-00156: National Fuel Gas Supply Corporation (6636 Main Street, Williamsville, NY 14221-5855) on November 20, 2015, for the Reynoldsville Station located in Winslow Township, **Jefferson County**. This State Operating Permit was revoked because the sources were permanently deactivated and the facility applied for Emission Reduction Credits.

located in Bradford City, **McKean County**. The De minimis emission increase is for construction of a Flare Gas Recovery Unit (FGRU). In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on October 5, 2011.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Issued

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

11841603 and GP12-11841603-R17. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To operate the Portage Plant in Portage Township, **Cambria County** and to establish an emission inventory for maximum total annual raw coal throughput at the facility will be 3,000,000 tons/calendar year. Emission sources include truck unloading (end dump), raw storage pile wind erosion, storage pile manipulation into reclaim bins, crusher and/or screen, transfer operations, conveyors, stockpile development, storage pile manipulation for truck clean coal load out, train load out, and vehicular traffic on paved and unpaved roadways. Approval is authorized under General Permit BAQ-GPA/GP12 and is

required to meet all applicable limitations, terms, and conditions of authorization GP12-11841603-R17. The application was considered administratively complete on May 27, 2015. Application received May 27, 2015. Permit issued November 18, 2015.

33971301 and NPDES No. PA0215031. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Dora No. 8 Mine in Perry Township, **Jefferson County** and North Mahoning Township, **Indiana County**. No additional discharges. The application was considered administratively complete on February 6, 2013. Application received July 30, 2012. Permit issued November 19, 2015.

32803712 and NPDES No. PA0092142. Consol Mining Company LLC, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit and related NPDES permit for the Lewisville Recovery Plant in Young and Blacklick Townships, **Indiana County** for reclamation and water treatment. No additional discharges. The application was considered administratively complete on July 20, 2010. Application received June 9, 2010. Permit issued November 20, 2015.

30831303 and NPDES No. PA0013511. Cumberland Coal Resources, LP, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To renew the permit for the Cumberland Mine in Center, Greene, Franklin, Whiteley, Wayne and Perry Townships, **Greene County**. No additional discharges. The application was considered administratively complete on February 4, 2013. Application received October 9, 2012. Permit issued November 19, 2015.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

33070107. Allegheny Enterprises, Inc. (3885 Roller Coaster Road, Corsica, PA 15829) Renewal of an existing bituminous surface mine in Rose Township, **Jefferson County**, affecting 47.1 acres. Receiving streams: Eckler Run. This renewal is issued for reclamation only. Application received: September 4, 2015. Permit Issued: November 20, 2015.

10100101. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface mine in Karns City Borough & Fairview Township, affecting 47.1 acres. Receiving streams: Unnamed tributaries to South Branch Bear Creek. This renewal is issued for reclamation only. Application received: October 15, 2015. Permit Issued: November 23, 2015.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

Permit No. 40920102R4. Susquehanna Coal Company, (PO Box 27, Nanticoke, PA 18643), renewal of an existing anthracite coal refuse reprocessing operation in Newport Township, **Luzerne County** affecting 1,325.0 acres, receiving stream: Newport Creek. Application received: April 8, 2014. Renewal issued: November 20, 2015.

Permit No. 40920102GP104. Susquehanna Coal Company, (PO Box 27, Nanticoke, PA 18643), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40920102 in Newport Township, **Luzerne**

County, receiving stream: Newport Creek. Application received: April 8, 2015. Permit issued: November 20, 2015.

Noncoal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900

Permit No. 28030302 and NPDES No. PA0224359. St. Thomas Development, Inc., 8153 B Lincoln Way West, St. Thomas, PA 17252, renewal of NPDES permit in St. Thomas Township, **Franklin County** affecting 352.5 acres. Receiving streams: unnamed tributary to Campbell Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 31, 2015. Permit issued: November 17, 2015.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200

08030301 and NPDES PA0608874. Dalrymple Gravel & Contracting Company, Inc. (2105 South Broadway, Pine City, NY 14871). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Athens Township, **Bradford County** affecting 337.3 acres. NPDES will also be renewed on associated surface mining permit 08140301 affecting 12.5 acres. Receiving stream(s): there are no outfalls directly to streams. Application received: July 20, 2015. Permit issued: November 5, 2015.

08150801. Lehman Family Irrevocable Trust (132 Headley Avenue, Dushore, PA 18614). Commencement, operation and restoration of a bluestone quarry in Standing Stone Township, **Bradford County** affecting 1.0 acre. Receiving stream(s): King Creek classified for the following use(s): WWF and MF. Application received: June 10, 2015. Permit Issued: November 18, 2015.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

3374SM58 and NPDES Permit No. PA0591688. Coolspring Mining, Inc. (P. O. Box 1328, Uniontown, PA 15401). NPDES Permit renewal issued for continued mining to an existing large noncoal surface mine, located in North Union Township, **Fayette County**, affecting 146.6 acres. Receiving streams: unnamed tributary to Coolspring Run and Coolspring Run. Application received: March 16, 2015. Renewal permit issued: November 19, 2015.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

Permit No. 22152801. National Quarries, LLC (PO Box 469, Gladwyne, PA 19035), Commencement, operation and restoration of a quarry operation in West Hanover Township, **Dauphin County** affecting 5.0 acres, receiving stream: Fishing Creek. Application received: August 31, 2015. Permit issued: November 19, 2015.

Permit No. 22152801GP104, National Quarries, LLC (PO Box 469, Gladwyne, PA 19035), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 22152801 in West Hanover Township, **Dauphin County**, receiving stream: Fishing Creek. Application received: August 31, 2015. Permit issued: November 19, 2015.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

Permit No. 48154110. Schlouch, Inc., (P. O. Box 69, Blandon, PA 19510), construction blasting for Fort James Subdivision in Forks Township, **Northampton County** with an expiration date of November 17, 2016. Permit issued: November 23, 2015.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511

E39-536. Liberty Property, L.P., 74 West Broad Street, Bethlehem, PA 18018. Lower Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain the following impacts within the floodway of an unnamed tributary to Little Lehigh Creek (HQ-CWF, MF): (1) a 205-foot stream enclosure consisting of a concrete box culvert with a span of 12 feet and an underclearance of 5 feet; and (2) a stormwater outfall consisting of a 21-inch diameter reinforced concrete pipe with associated R-5 rock apron and endwalls associated with the Spring Creek Properties Settlement Subdivision in Lower Macungie Township, Lehigh County. The project is located on Congdon Hill Drive, immediately west of its intersection with Spring Creek Road (Allentown West, PA Quadrangle Latitude: 40°31'00.6"; Longitude: -75°36'28.1"). Subbasin: 2C.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636

E08-493. Pennsylvania Department of Transportation, Engineering District 3-0, 715 Jordan Ave, Montoursville, PA 17754. SR 3018, Section 08M Storm Sewer Upgrade in the Borough of Towanda, **Bradford County**, ACOE Baltimore District (Towanda, PA Quadrangle; Latitude: 41°45'57"; Longitude -76°26'53").

PA DOT Engineering District 3-0 proposes to upgrade a storm sewer in the Borough of Towanda. The storm sewer will result in a new outfall to an Unnamed Tributary to the Susquehanna River. Currently stormwater is flowing overland to the same location as the outfall. PA DOT proposes to install a 24 inch pipe with a 56 Ft x 28 Ft R-8 Rip Rap apron. A portion of the project is located within the Towanda Historic District. The outfall will not result in any impact to historic properties. The project will impact approximately 28 Ft of the Unnamed Tributary to the Susquehanna River streambank. The project will not impact any jurisdictional wetlands. The Unnamed Tributary to the Susquehanna River is classified as a Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards. This project will not require mitigation. This permit also includes 401 Water Quality Certification.

E17-494. Pennsylvania Department of Transportation, Engineering District 2-0, 1924 Daisy Street Extension, Clearfield, PA 16830. SR 0322, Section A04 Bridge Replacement over Laurel Run in Decatur Township, **Clearfield County**, ACOE Baltimore District (Wallacetown, PA Quadrangle; Latitude: 40° 55' 05"; Longitude -78° 15' 10").

PA DOT Engineering District 2-0 proposes to replace a two span concrete T-beam bridge with a single span concrete bulb T-beam bridge on the existing horizontal

and vertical alignment. The existing bridge has a total span of 61.25 Ft., a skew of 30 degrees, an underclearance of 1.48 Ft., and a low chord of 1,432.91 Ft. and a hydraulic opening of 116.7 Ft². The proposed single span bridge has a span of 69.58 Ft., a skew of 30 degrees, an underclearance of 1.31 Ft., and a low chord of 1,432.96 Ft. and a hydraulic opening of 157.4 Ft². The project will temporarily impact 0.77 acre and permanently impact 0.14 acre of jurisdictional wetlands. The wetland impact will be mitigated at the McPherron Wetland Bank. The project also proposes to temporarily impact 550 Ft of Unnamed Tributary during construction to accommodate traffic. Laurel Run is classified as a Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards. This permit also includes 401 Water Quality Certification.

E49-335. SEDO-COG Joint Rail Authority, 201 Furnace Road, Lewisburg, PA 17837. Stream and Bridge 14.93 Rehabilitation, in Ralpho and Shamokin Townships, **Northumberland County**, ACOE Baltimore District (Shamokin, PA Quadrangle Latitude: 40°49'38.8"; Longitude: 76°35'6.5").

To construct, operate, maintain and rehabilitate the Shamokin Valley Railroad Bridge 14.93 by replacing the existing north abutment and eliminating a scour hole threatening the foundation of the abutment with the placement of R-8 riprap. The permit will also restore hydraulic capacity in the floodplain spanning from pier number 1 through pier number 2 into the south abutment with the removal of 2,045 cubic yards of sediment to restore capacity within the bridge. This permit also authorizes the construction of one rock cross vane, two "J" hook vanes placed upstream of the structure, 270 lineal feet of rock revetment will be installed for upstream of the structure along the left bank and 325 linear feet of R-8 riprap along the right bank upstream of the bridge structure. This project is located 3.3 miles north on SR 0061 out of Shamokin. This project impacts 692 linear feet of the Shamokin Creek, which is, designated a Warm Water Fishery and does not impact any wetlands (Shamokin, PA Quadrangle Latitude 40°49'38.8"; Longitude 76°35'6.5") Ralpho and Shamokin Townships, Northumberland County. This permit also includes 401 Water Quality Certification.

E57-131. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 4008 Section 019, Unnamed Tributary to Elk Creek Bridge Replacement, Elkland Township, **Sullivan County**, ACOE Baltimore District (Shunk, PA Quadrangle N: 41° 33' 08" W: -76° 39' 03").

PA DOT Engineering District 3-0 proposes to replace a single span reinforced concrete slab bridge with a single cell precast concrete box culvert. The existing bridge has a span of 9.50 Ft., a skew of 58 degrees, an underclearance of 6.33 Ft., a low chord of 1,408.203 Ft. and a hydraulic opening of 48.3 Ft². The proposed box culvert has a span of 18 Ft., a skew of 90 degrees, an underclearance of 5.0 Ft., a low chord of 1,408.38 Ft. and a hydraulic opening of 90 Ft². The increase in roadway width is beyond the criteria for the General Permit 11. The project will also include R-8 Rip Rap protection on the right and left upstream and downstream banks. The total stream impact from the proposed box culvert and the stream bank protection will be approximately 210 Ft. The project will not impact any jurisdictional wetlands and does not require mitigation. The Unnamed Tributary to Elk Creek is classified as an Exceptional Value Stream (Also Wild Trout) by Title 25, Chapter 93 Water Quality

Standards. The project will not require mitigation. This permit also includes 401 Water Quality Certification.

Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E02-1716, Pennsylvania Department of Transportation District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, McCandless Township, **Allegheny County**, ACOE Pittsburgh District.

Has been given consent to:

Construct and maintain an 18 foot downstream extension of an existing SR 4086, 26 foot long, 30 foot span, 7.75 foot center clearance arch culvert over Pine Creek (CWF) with a drainage area of 8.5 square miles; in addition, construct and maintain associated stormwater outfalls, and temporarily impact 111 foot of stream for the purpose of constructing these encroachments.

The project is part of the PennDOT and McCandless Township SR 4086 and SR 19 intersection improvement project in McCandless Township, PA (Emsworth Quadrangle; N: 15.2 inches; W: 6.3 inches; Latitude 40° 35' 12"; Longitude -80° 2' 44") in Allegheny County.

E04-349, Center Township Water Authority, 224 Center Grange Road, Aliquippa, PA 15001, Potter Township, **Beaver County**, ACOE Pittsburgh District.

Has been given consent to:

1. Construct and maintain temporary pumping facilities within the Ohio River (WWF, N), consisting of a temporary, pile-supported dock, 8' steel walkway and three (3) temporary intake structures, which will each have a wedge wire type screen with a slot size of 0.1-inch and a velocity of 0.5 fps, to withdraw approximately 2.5 million gallons per day (MGD);

2. Construct and maintain two (2) water intake structures within the Ohio River, which will each have a wedgewire screen with a slot size of 0.125-inch and a velocity of 0.5 fps, to withdraw approximately 5 MGD;

3. Construct and maintain a 28' diameter concrete caisson, access drive, parking area, and support facilities, including a control building and an emergency standby power plant, within the floodplain of the Ohio River;

4. Construct and maintain several utility line crossings of Rag Run (WWF) and an unnamed tributary (UNT) to the Ohio River (WWF) in association with the construction of a temporary 18" DIP raw water transmission main, a permanent 18" DIP raw water transmission main and a 6" DIP finished water line;

5. Construct and maintain an outfall structure in the Ohio River, and several utility line crossings of Rag Run, with a 24" HDPE, in association with discharging pretreated backwash water to the Ohio River; and

6. Construct and maintain an 18" CPP stormwater outfall structure in an UNT to Rag Run (WWF); and

7. To place and maintain fill within the 100-year floodplain of the Ohio River, for the purpose of constructing a new surface water treatment facility, to replace the Authority's existing groundwater wells and treatment plant, which serves as a community public water supply. The project will cumulatively impact approximately 558' of watercourse, and is located in and along the Ohio River, approximately 3,420' upstream from where the Beaver Valley Expressway (I-376) crosses over the Ohio River (Beaver, PA USGS 7.5 minute Topographic Quadrangle; Latitude: 40° 40' 51"; Longitude: -80° 19' 7";

Sub-basin: 20G), in Potter Township, Beaver County. (The new treatment plant will be in Center Township, Beaver County.)

DAM SAFETY

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460

D52-189. Charles Verga (6080 Wildrose Lane, Burtchville, MI 48059). Permit issued to modify, operate, and maintain the Verga Pond Dam across an unnamed tributary to the Delaware River (HQ-CWF, MF), impacting 20 linear feet of stream channel and 0.01 acre of open water for the purpose of rehabilitating and repairing the existing recreational dam to ensure compliance with Commonwealth regulations. (Shohola, PA Quadrangle Latitude: 41.4697°; Longitude: -74.9656°) in Shohola Township, **Pike County**.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-2 #ESG15-019-0039—Briston Gas Pipeline
Applicant Mountain Gathering, LLC
Contact Mr. Dewey Chalos
Address 810 Houston Street
City Fort Worth State TX Zip Code 76102
County Butler Township(s) Butler
Receiving Stream(s) and Classification(s) UNT to Butcher Run (WWF) and UNT to Thorn Creek (CWF)/
Connoquenessing Creek

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-2 # ESX13-115-0081(01)
Applicant Name Cabot Oil & Gas Corporation
Contact Person Kenneth Marcum
Address 2000 Park Lane, Suite 300

City, State, Zip Pittsburgh, PA 15275
County Susquehanna
Township(s) Lathrop Twp
Receiving Stream(s) and Classification(s) UNT to Horton Creek (#3839) CWF

ESCGP-2 # ESX11-117-0022(01)
Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 2100 Georgetown Drive, Suite 400
City, State, Zip Sewickley, PA 15143
County Tioga
Township(s) Farmington Twp
Receiving Stream(s) and Classification(s) UNT to Thornbottom Creek (WWF)
Secondary—Thornbottom Creek

ESCGP-2 # ESX10-117-0174(02)
Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 2100 Georgetown Drive, Suite 400
City, State, Zip Sewickley, PA 15143
County Tioga
Township(s) Charleston Twp
Receiving Stream(s) and Classification(s) UNT to Norris Brook (TSF)
Secondary—Crooked Creek

ESCGP-2 # ESX29-115-15-0040
Applicant Name Williams Field Services Company, LLC
Contact Person Chad Johnson
Address 310 SR 29 North
City, State, Zip Tunkhannock, PA 18657
County Susquehanna
Township(s) Harford Twp
Receiving Stream(s) and Classification(s) Partners Creek and Sterling Brook (CWF) Watersheds: Partners Creek and Sterling Brook
Secondary—Tunkhannock Creek

ESCGP-2 # ESX29-117-15-0034
Applicant Name SWN Production Company, LLC
Contact Person Jeff Whitehair
Address 917 State Route 92 North
City, State, Zip Tunkhannock, PA 18657
County Tioga
Township(s) Liberty Twp
Receiving Stream(s) and Classification(s) Blacks Creek (CWF, NRT)
Secondary—Blockhouse Creek (CWF, NRT)

ESCGP-2 # ESX12-115-0179(01)
Applicant Name SWN Production Company LLC
Contact Person Jeff Whitehair
Address 917 State Route 92 North
City, State, Zip Tunkhannock, PA 18657
County Susquehanna
Township(s) Franklin Twp
Receiving Stream(s) and Classification(s) UNT to Snake Creek (CWF)
Secondary—Susquehanna River

ESCGP-2 # ESG29-117-15-0031
Applicant Name HEP Tioga Gathering LLC
Contact Person Kevin Williams
Address 512 Towne Plaza, Ste 120, Route 6
City, State, Zip Tunkhannock, PA 18657
County Tioga
Township(s) Liberty Twp
Receiving Stream(s) and Classification(s) Blacks Creek, Blockhouse Creek & UNTs; All CWF
Secondary—Pine Creek

Southwest Region: Oil & Gas Program Mgr., 400 Waterfront Dr., Pittsburgh, PA

ESCGP-2 No: ESG15-059-0040
Applicant Name: Appalachia Midstream Services LLC
Contact Person John T Lattea
Address: 190 Midstream Way
City: Jane Lew State: WV Zip Code: 26378
County: Greene Township: Center
Receiving Stream(s) and Classifications: UNTs to Grays Fork (HQ-WWF), UNTs to Patterson Creek (HQ-WWF)/Tenmile Creek Watershed; HQ

ESCGP-2 No.: ESX15-051-0008
Applicant Name: Liggett Well Pad
Contact Person: Alex Genovese
Address: 800 Mountain View Drive
City: Smithfield
State: PA Zip Code: 15478
County: Fayette Township(s): Luzerne
Receiving Stream(s) and Classifications: Rush Run, Tributary 40253 to Rush Run; Other Warm Water Fisheries (WWF)

ESCGP-2 No.: ESG14-125-0034 Major Revision
Applicant Name: MarkWest Liberty Midstream & Resources LLC
Contact Person: Rick Lowry
Address: 4600 J Barry Court Suite 500
City: Canonsburg State: PA Zip Code: 15317
County: Washington Township(s): Buffalo, East Finley
Receiving Stream(s) and Classifications: UNTs to Buffalo Creek, Buffalo Creek, UNTs to Sawhill Run; HQ

ESCGP-2 No.: ESX13-003-0004 Major Revision
Applicant Name: EQT Gathering LLC
Contact Person: Brint E Goettel
Address: 625 Liberty Avenue Suite 1700
City: Pittsburgh State: PA Zip Code: 15222
County: Allegheny Township(s): Forward
Receiving Stream(s) and Classifications: UNT to Kelly Run/Kelly Run, UNT to Perry Mill Run/Perry Mill Run, UNT to Sunfish Run; Other WWF

ESCGP-2 No.: ESX15-125-0060
Applicant Name: EQT Production Company
Contact Person: Todd Klaner
Address: 2400 Zenith Ridge Road Suite 200
City: Canonsburg State: PA Zip Code: 15317
County Washington Township(s): Carroll
Receiving Stream(s) and Classifications: Pigeon Creek/Monongahela River: Other Warm Water Fishes

ESCGP-2 No.: ESG15-125-0049
Applicant Name: Range Resources Appalachia LLC
Contact Person: Karl Matz
Address: 3000 Town Center Boulevard
City: Canonsburg State: PA Zip Code: 15317
County: Washington Township(s): Mount Pleasant
Receiving Stream(s) and Classifications: UNT to South Fork Cross Creek (HQ-WWF/MF); HQ; Other WWF/MF

ESCGP-2 No.: ESX15-129-0008
Applicant Name: Laurel Mountain Midstream LLC
Contact Person: Stephanie Ranker
Address: 111 Enterprise Lane
City: Connellsville State: PA Zip Code 15425
County: Westmoreland Township(s): South Huntingdon
Receiving Stream(s) and Classifications: UNT 1 to Hunters Run and Hunters Run Sewickley Creek; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESG15-125-0054
Applicant Name: MarkWest Liberty Midstream & Resources LLC
Contact Person: Rick Lowry
Address: 4600 J Barry Court Suite 500
City: Canonsburg State: PA Zip Code: 15317
County: Washington Township(s): Buffalo
Receiving Stream(s) and Classifications: UNTs to Buffalo Creek; HQ

ESCGP-2 No.: ESX15-125-0051
Applicant Name: Range Resources Appalachia LLC
Contact Person: Karl Matz
Address: 3000 Town Center Boulevard
City: Canonsburg State: PA Zip Code: 15317
County: Washington Township(s): Mount Pleasant
Receiving Stream(s) and Classifications: UNT to Millers Run (WWF/MF) Other WWF/MF

ESCGP-2 NO.: ESX12-125-0111 Major Revision
Applicant Name: Range Resources Appalachia LLC
Contact Person: Glenn D Truzzi
Address: 3000 Town Center Boulevard
City: Canonsburg State: PA Zip Code: 15317
County: Washington Township(s): Robinson
Receiving Stream(s) and Classifications: UNT to Raccoon Creek (WWF) & Bigger Run (WWF)/Raccoon Creek Watershed; Other WWF

ESCGP-2 NO.: ESX15-129-0007
Applicant Name: Chevron Appalachia LLC
Contact: Branden Weimer
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Westmoreland Township(s): South Huntingdon
Receiving Stream(s) and Classifications: UNTs to Hunters Run/Lower Youghiogeny River Watershed; Other WWF; Siltation-Impaired

ESCGP-2 NO.: ESG14-059-0071 Major Revision
Applicant Name: Vantage Energy Appalachia II LLC
Contact: John Moran
Address: 116 Inverness Drive East Suite 107
City: Englewood State: CO Zip Code: 80112
County: Greene Township(s): Morris
Receiving Stream(s) and Classifications: UNTs to Browns Creek/Tenmile Creek Watershed; HQ

ESCGP-2 NO.: ESG15-059-0029
Applicant Name: PA Land Resources LLC DBA PL Resources LLC
Contact: Scott Sweder
Address: PO Box 247 158 Portal Road Building 2
City: Waynesburg State: PA Zip Code: 15370
County: Greene Township(s): Center and Franklin Townships
Receiving Stream(s) and Classifications: Pursley Creek, Maple Run, Stewart Run HQ, WWF Smith Creek-WWF; HQ; Other WWF

Special Notices

Intent to Issue Plan Approval—IPAOP

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

AMS 13322: Delaware Valley Recycling, Inc., (3107 South 61st St. Philadelphia, PA 19153) for installing one (1) 450,000 tpy/400 tph Hot Mix Asphalt, Baghouse with Inertial Separator to control PM emissions and Associated Storage Silos, and modified the operating hours of the following previously permitted engines; a 65 Brake horse-

power portable conveyer engine, two (2) 425 Brake horsepower concrete crusher engine each firing diesel fuel oil. The potential emission increase from the Hot Mix Asphalt are limited as follow; NO_x—19.5 tons per rolling 12-month period, PM—3.5 tons per rolling 12-month period, PM_{2.5}—1 ton per rolling 12-month period, VOCs 16 tons per rolling 12-month period, CO—65 tons per rolling 12-month period SO₂—1.75 tons per rolling 12-month period, total PM—3.35 tons per rolling 12-month period and total HAPs—1.2 ton per rolling 12-month period.

The plan approval will contain operating, monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

Intent to Renew a Title V/State Operating Permit

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to renew a Title V/State Operating Permit for the following facility:

V05-004: Temple University, Main Campus (1009 West Montgomery Avenue, Philadelphia, PA 19122) for the operation of a college, university, & professional school in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include the following: five (5) 41.24—63.9 MMBtus/hr boilers firing natural-gas (NG) or No.6 fuel oil; one (1) 20.92 MMBtus/hr boiler firing NG; three (3) 86.8—91.3 MMBtus/hr boilers firing NG or No. 2 fuel oil; three (3) 9.996 MMBtus/hr boilers firing NG or No. 2 fuel oil; two (2) 2.396 2.887-2.887 MMBtus boilers firing NG or No.2 fuel oil; eleven (11) boilers or water heaters, each rated 2.0 MMBtus/hr or less, firing NG; ten (10) 2,250 horsepower standby generators firing natural gas; twelve (12) emergency generators, each rated 170 kws or less, firing NG; 32 emergency generators, each rated 1,825 KWs or less, firing No. 2 fuel oil; one (1) 110 horsepower fire pump firing No. 2 fuel oil and Glass processing units.

The operating permit will be renewed under the Pennsylvania Code Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Edward Wiener (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

Intent to Modify an Operating Permit

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to modify operating permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices for the following facilities:

N12-032A: MCI, Inc.—Verizon Business (401 N Broad St, Philadelphia, PA 19108) for operation of a telecommunication facility in the City of Philadelphia, **Philadelphia County**. The facility is amending its current operating permit to allow additional generator run time for readiness check test after maintenance operation of each emergency generator at the facility.

The Natural Minor Operating Permit was originally issued on 2/6/2012.

S13-017A: Verizon PA Inc. Market Central Office (900 Race St, Philadelphia, PA 19139). The facility is amending its current operating permit to allow additional generator run time for readiness check test after maintenance operation of each emergency generator at the facility.

The Synthetic Minor Operating Permit was originally issued on 2/26/2014.

N12-036A: Verizon-Pennsylvania, Incorporated-Locust Central Office (1631 Arch Street, Philadelphia, PA 19103) for the operation of a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility is amending its current operating permit to allow additional generator run time for readiness check test after maintenance operation of each emergency generator at the facility.

The Natural Minor Operating Permit was originally issued 12/4/2012.

N13-013: Verizon-Pennsylvania, Incorporated-Sherwood Office (5650 Chestnut Street, Philadelphia, PA 19103) for the operation of a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility is amending its current operating permit to allow additional generator run time for readiness check test after maintenance operation of each emergency generator at the facility.

The Natural Minor Operating Permit was originally issued on 12/10/2013.

Draft Hazardous Permit; Notice of Intent to Issue a Hazardous Waste Permit Modification

This is a revised notice, as the prior notice contained an error. The Department of Environmental Protection (Department) intends to issue a permit modification to Bethlehem Apparatus Company, Inc. a Solid Waste Management Act Permit. This draft permit modification is to include mercury retirement activities at their Hazardous Waste facility located in the City of Bethlehem. The Bethlehem facility of Bethlehem Apparatus is primarily a treatment and storage facility for mercury. The permit is being modified to include the addition of red mercury sulfide treatment process for mercury retirement for offsite disposal of mercury as a mercury bearing hazardous waste. The mercury retirement activities will convert elemental mercury to mercury sulfide to be sent for disposal at a facility permitted to accept this material. The facility currently has an office area, a paved receiving lot, a material sorting and preparation area with various safety and handling equipment, an enclosed and covered container storage area, six high vacuum mercury retorts and associated equipment, a high vacuum auto-feed retort system, calomel work area, a mercury amalgamation area (for mercury retirement) and a research and development laboratory. All storage and treatment operations take place within the enclosed building.

The public will be given 45 days to comment on the draft permit prepared under the Solid Waste Management Act. The comment period began on November 21,

2015, and will end on January 4, 2016. Any person interested in commenting on the application or draft permit must do so within this comment period. Copies of the application, draft permit and fact sheet for the Hazardous Waste Facility may be reviewed at the Department of Environmental Protection, Bethlehem District Office at 4530 Bath Pike (Route 512), Bethlehem, PA 18017. Contact Jeffrey Spaide at 570-826-2511 for further information.

All persons wishing to comment on any of the permit conditions or permit application should submit the comments in writing to the Department of Environmental Protection, Waste Management Program, 2 Public Square and Wilkes-Barre, PA 18701-1915; Attention Roger Bellas, Regional Solid Waste Manager. Comments should include all reasonably available references, factual grounds and supporting materials. A public hearing may be scheduled if requested.

When making a determination regarding the issuance of a hazardous waste permit to Bethlehem Apparatus Company, Inc. The Department will consider all written comments received during the comment period, and oral or written statements received during a public hearing, the requirements of the hazardous waste regulations of 25 Pa. Code Chapters 260—270 and the Department's permitting policies.

Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

Southwest Region: Waste Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222

The Department of Environmental Protection (Department) approved the Beaver County Municipal Waste Management Plan Revision on November 9, 2015.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the

Pennsylvania Bulletin, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

The plan revision is a public document and may be viewed at the Department Regional Office previously noted.

Questions concerning this approval should be directed to Lawrence Holley, Environmental Program Manager, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472 or to Sharon Svitek, Regional Recycling and Planning Supervisor, Bureau of Waste Management at the previous Regional Office.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of November 2015 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Chad Albright	4101 Beale Ave. Altoona, PA 16601	Mitigation
Robert Anderson	282 Longstreet Dr. Gettysburg, PA 17325	Mitigation
Josef Bock	3650 Concorde Pkwy., Ste. 100 Chantilly, VA 20151	Testing
Keith Carpenter	124 Old Colony Dr. Johnstown, PA 15904	Mitigation
Dino Chieffallo Absolute Safeguard Home Inspection Services, Inc.	1063 Norris Dr. Pittsburgh, PA 15220	Testing
Mark Droege	238 Pheasant Dr. Columbia, PA 17512	Testing
Gregory Gibson	PO Box 733 Tannersville, PA 18372	Mitigation

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Steven Gorman Mason Dixon Home Inspection Service	282 Longstreet Dr. Gettysburg, PA 17325	Testing
Joseph Hagarty	1513 Woodland Rd. West Chester, PA 19382	Testing
Melchis Hasham	3650 Concorde Pkwy., Ste. 100 Chantilly, VA 20151	Laboratory Analysis
Ammon Hontz	PO Box 4064 Jim Thorpe, PA 18229	Testing
Michal Kluza	8020 Mine St. Fogelsville, PA 18051	Mitigation
Michal Kluza S.W.A.T. of PA	8020 Mine St. Fogelsville, PA 18051	Testing
Greg Kopenhaver	PO Box 902 Blue Bell, PA 19422	Testing
Judith Kriegler	3650 Concorde Pkwy., Ste. 100 Chantilly, VA 20151	Testing
Juan Lluna-Garces	1324 Crestmont Dr. Downingtown, PA 19335	Testing & Mitigation
Robin Lunny	2370 York Rd., A9-C Jamison, PA 18929	Mitigation
Winfield Lyons	16 W. Hanover St. Gettysburg, PA 17325	Testing
Stephen Notwick	27 Jasmine Rd. Levittown, PA 19056	Testing
George Radeschi	311 Oakview Rd. Bedford, PA 15522	Testing
Radon Protection Services	282 Longstreet Dr. Gettysburg, PA 17325	Mitigation
Jooik Ro	30 Sunset Dr. Carlisle, PA 17013	Mitigation

[Pa.B. Doc. No. 15-2178. Filed for public inspection December 11, 2015, 9:00 a.m.]

Aggregate Advisory Board; Regulatory, Legislative and Technical Subcommittee Meeting

The Aggregate Advisory Board's Regulatory, Legislative and Technical Subcommittee will meet on December 18, 2015, from 9 a.m. until 12 p.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the meeting can be directed to Daniel E. Snowden, DEd, Bureau of Mining Programs, (717) 783-8846, dsnowden@pa.gov. The agenda for the meeting will be available on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Aggregate Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, DEd at (717) 783-8846 through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-2179. Filed for public inspection December 11, 2015, 9:00 a.m.]

Availability of Rebates through the Pennsylvania Alternative Fuels Incentive Grant Program

The Department of Environmental Protection (Department) announces the continued availability of grants to Commonwealth residents under Pennsylvania's Alternative Fuel Vehicle Rebate Program (program). The program, administered by the Department through the Alternative Fuels Incentive Grant Program, provides rebates to Commonwealth residents to assist individuals with the incremental costs of purchasing an alternative fuel vehicle.

To qualify for the rebate, the alternative fuel vehicle must be registered in this Commonwealth and be operated primarily within this Commonwealth. The rebate will be offered on a first-come, first-served basis in the order in which they are received. Rebate request forms and required documentation must be submitted to the Department no later than 6 months after the vehicle is purchased.

The following rebates are offered:

- \$2,000 rebate for a plug-in hybrid electric vehicle (PHEV) (battery system capacity equal/greater than 10 kWh) or battery electric vehicle (EV) (battery system

capacity equal/greater than 10 kWh) (does not include electric motorcycle, scooter, all-terrain vehicle (ATV) or low speed electric vehicle).

- \$1,000 rebate for a PHEV or EV (battery system capacity less than 10 kWh) (does not include electric motorcycle, scooter, ATV or low speed electric vehicle).
- \$1,000 rebate for a natural gas fueled vehicle. Original equipment manufacturer (OEM)/certified retrofit only.
- \$1,000 rebate for a propane fueled vehicle. OEM/certified retrofit only.
- \$1,000 rebate for a hydrogen or fuel cell vehicle, or both.
- \$500 rebate for an electric motorcycle, scooter, ATV or other low speed EV if registered in this Commonwealth.

There are only a limited number of rebates available at \$2,000. The program offered will be reassessed upon payment of the first 250 rebates at \$2,000 or June 30, 2016, whichever occurs first. The Department encourages interested applicants to visit the web site for rebate forms and an up-to-date listing of rebate availability at www.dep.state.pa.us (DEP Keyword: Alternative Fuel Vehicle Rebates).

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-2180. Filed for public inspection December 11, 2015, 9:00 a.m.]

Governor's Pipeline Infrastructure Task Force Draft Final Report; Extension of Public Comment Period

The public comment period for the Governor's Pipeline Infrastructure Task Force Draft Final Report (Report) is extended by 15 days. The Department of Environmental Protection (Department) will now be accepting comments through Tuesday, December 29, 2015.

On July 7, 2015, Governor Tom Wolf announced the 48 members of the Pipeline Infrastructure Task Force (Task Force), informed by 12 different workgroups. The workgroups met over the course of 3 months and developed recommendations for pipeline development with a focus on:

- Agriculture
- Conservation and Natural Resources
- County Government
- Emergency Preparedness
- Environmental Protection
- Historical/Cultural/Tribal Impacts
- Local Government
- Natural Gas End Use
- Pipeline Safety and Integrity
- Public Participation
- Siting and Routing
- Workforce and Economic Development

The recommendations developed by the workgroups will be reported to the Task Force for additional discussion, consideration and assimilation into the Report that will be presented to Governor Tom Wolf in February 2016.

A. Public Comments

The Department is accepting comments on the Report through December 29, 2015.

Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment. Written comments should be submitted to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, ecomment@pa.gov.

B. Contact

Questions concerning the comment period and report can be directed to the Task Force at RA-EPPITF@pa.gov. The draft report is available on the Department's web site at www.dep.pa.gov (DEP Keyword: Pipeline Infrastructure Task Force).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-2181. Filed for public inspection December 11, 2015, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Retail Space to the Commonwealth Lawrence County

Proposers are invited to provide a proposal to the Department of General Services for 4,000 to 6,000 ± net usable square feet of retail space for the Liquor Control Board in New Castle, Lawrence County, due on or before 3 p.m. on Friday, January 8, 2016. For more information on SFP No. 94781, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 15-2182. Filed for public inspection December 11, 2015, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) has filed a request for an exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b). The following request for exception relates to regulations governing ASF licensure

in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Laurel Laser & Surgery Center—Altoona	28 Pa. Code § 553.31 (relating to administrative responsibilities)

The request previously listed is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-2183. Filed for public inspection December 11, 2015, 9:00 a.m.]

Ambulatory Surgical Facilities; Requests for Exceptions; Correction

The following ambulatory surgical facility (ASF) has filed a request for an exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b). The following request for exception relates to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
UOC Surgical Services, Ltd.	28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery)

This exception request was initially published at 45 Pa.B. 6556 (November 7, 2015) and identified the facility making the request as Advanced Center for Surgery LLC. This notice corrects the facility name.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication

of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-2184. Filed for public inspection December 11, 2015, 9:00 a.m.]

Availability of Grant Funds through the State Lead Program

The Department of Health's (Department) State Lead Program (Program), operated by the Department's Bureau of Family Health (Bureau), is accepting grant applications from health, housing and educational organizations for funding for a well-defined program or plan to accomplish one or both of the following:

- To connect certified lead-based paint (LBP) professionals with families who have children at risk for lead poisoning to work to lower the risk faced by those children.
- To build the training infrastructure for certification of members of the contractor community in LBP disciplines.

Lead paint and the dust that results from the breakdown of the paint can lead to serious health issues, including loss of IQ, attention deficit hyperactivity disorder, convulsions, coma and even death. Homes built before 1978 are more likely to have lead paint in them. According to the 2010 Census, this Commonwealth ranks fifth in the Nation in the percentage of homes built before 1978. Young children are the mostly likely age group to have elevated blood lead levels (EBLL). In 2014, 13,171 children in this Commonwealth 7 years of age and under had elevated EBLLs of 5 µg/dL or higher.

Applications will be rated based upon the creativity and efficacy with which the proposed services will meet the grant objectives of connecting LBP professionals with families who have children at risk for lead poisoning or building a training infrastructure for certification of members of the contractor community in LBP disciplines, or both. Successful applicants will be awarded grants of up to \$10,000 each. The grant period ends June 30, 2016.

Purpose. The Program will provide grants to provide funding for meeting the previously referenced objectives in an effort to decrease the incidence of childhood lead poisoning. Applicants are encouraged to identify and provide services to populations that are most at-risk for lead poisoning. Activities should further environmental justice efforts in at-risk neighborhoods. Partnerships with organizations that are already working toward the previously referenced objections of this grant are strongly encouraged and will be considered in the process of evaluating grant applications and making awards.

The primary focus of this initiative is the prevention of childhood lead poisoning through assessment of LBP risks and abatement of LBP hazards. Applicants are encouraged to draw upon existing community resources and services in reaching high-risk populations, building environmental justice and reducing health disparities.

Funds. Funding for this project is contingent upon Department approval. Grantees awarded funds through the Program must use the funds for activities and materials to increase awareness of the LBP-certified disciplines, to build infrastructure and to support local efforts in LBP identification and abatement. Funded services may include, but are not limited to:

1) Activities that would assure that individuals engaged in LBP abatement are properly trained and that contractors engaged are certified. These activities could include initiatives to develop local capacity in low-income and rural areas.

2) Activities that increase public demand for certified and accredited service providers. These activities could include the provision of outreach and education to the regulated community, protected community and general public, provided that the primary intention of the outreach/education is to increase certification of firms and accreditation of training providers.

The grant period ends June 30, 2016. Funded activities must have been completed by June 30, 2016.

Requirements. Eligible applicants include health, housing and educational organizations located in this Commonwealth. Individuals may not apply.

To conduct business with the Commonwealth, grantees are required to be enrolled in the Systems, Applications and Products system. Applicants who are not enrolled may apply for a vendor identification number by contacting the Central Vendor Management Unit at (877) 435-7363 or (717) 346-2676 or <http://www.vendorregistration.state.pa.us> (click on "Non-Procurement Vendor Registration," then "Registration Form").

Application Deadline. It is anticipated that nine awards up to \$10,000 each will be made under this grant opportunity. Initial applications received by December 16, 2015, will be reviewed and scored by the Bureau. Applications received after this date will also be reviewed and scored, and may or may not receive funding depending upon both scoring and the availability of funding at that time. Applications may be mailed or e-mailed; see contact details at the end of this notice.

Application Process. Complete the 2015-2016 Application and the Proposed Budget. An authorized official of the organization must sign and date the application. Applications must be page numbered. Incomplete applications will not be reviewed.

Award Determination. Funding decisions are contingent upon the availability of allocated Program funds and Department approval. Applications are scored using a rating scale with the following pre-established criteria:

1. Degree of need for the proposed activities.
2. Extent to which the activities will likely demonstrate a change in awareness and actions.
3. Reasonableness of the proposed expenditures.

4. Likelihood that the proposed activities will be of on-going, systemic benefit to the target population.

5. Development of partnerships.

Notification of Award. Applicants shall be notified of their award status within 2 weeks of the submission due date. This grant is reimbursement only; no funds are provided at the start of the project. This Program reimburses applicants for actual and approved costs incurred by the successful applicant and reimbursements shall not exceed the approved amount.

Eligible Costs. Applicants may apply for funding reimbursement of multiple purchases or activities under the grant. However, the maximum cumulative award to any one applicant, as identified by Federal ID number, is \$10,000 per the terms previously described. Funds obtained through this grant may not supplant existing funds already available to the grantee from any other source. The grantee is the sole owner of any purchased property. The budget section of the application must include a budget narrative detailing by line item how project funds will be used and the degree to which competitive bids will be secured for purchases. Price quotes, estimates, catalog samples or other proof of cost must be submitted for each proposed expenditure.

Ineligible Costs. The following costs are not eligible for reimbursement under this Program:

1. Administrative/indirect costs (that is, costs not uniquely attributable in full to the programmatic activity).
2. New building construction or structural renovation of an existing space.
3. Capital expenses or equipment.
4. Staffing/personnel/paid intern.
5. One-time consumables (that is, event tickets, food/refreshments, child care, and the like).

By applying for grant funding, applicants affirm that they will abide by the previously listed spending limitations.

Summary Report and Invoice Procedures. Approved applicants shall be reimbursed with one check per invoice for approved expenses. To receive reimbursement of approved expenses, awardees must submit an invoice and receipts to the Bureau within 30 calendar days following completion of funded activity and no later than July 30, 2016.

Questions should be directed to Todd Christophel, EPA State Lead Program, Division of Child and Adult Health Services, (717) 772-2762, tochristop@pa.gov.

Applications should be submitted to the Department of Health, Bureau of Family Health, Division of Child and Adult Health Services, EPA State Lead Program, Health and Welfare Building, 7th Floor East, 625 Forster Street, Harrisburg, PA 17120, tochristop@pa.gov.

Applications received by December 16, 2015, will be part of the initial review. Review of applications after that date is contingent upon availability of funds.

Go to www.health.state.pa.us/lead to download the full application, attachments and forms.

Persons with a disability who require an alternative format of this document (for example, large print, audio-tape, Braille) should contact Todd Christophel, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17112, (717) 772-2762, or for speech and/or hearing

impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-2185. Filed for public inspection December 11, 2015, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing hospital licensure in 28 Pa. Code, Chapters 51 and 101—158 (relating to general information; and general and special hospitals) with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Heritage Valley Sewickley	28 Pa. Code § 143.4 (relating to medical appraisal of a podiatric patient) 28 Pa. Code § 143.5 (relating to medical supervision of podiatric patients)
Pottstown Memorial Medical Center	28 Pa. Code § 127.31 (relating to policies and procedures)

The following hospitals are requesting exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Aria Health—Torresdale	2.1-3.2.2.1(1)	Space requirements—area	2014
Delaware County Memorial Hospital	3.6-3.8.1	Waiting rooms	2014
Geisinger Medical Center	2.1-2.6.4.2	Multipurpose rooms	2014
	2.1-2.6.7.1	Nourishment areas	2014
	2.1-2.7.1	Staff lounge facilities	2014
	2.1-7.2.2.5	Windows in patient rooms	2014
	2.2-2.6.8.1	Support areas for families and visitors	2014
	3.13-6.2.2	Reception areas	2014
Holy Spirit Hospital	2.1-8.5	Facility requirements	2014
	2.1-8.5.3.2	Size of technology distribution rooms (TDRs)	2014
J.C. Blair Memorial Hospital	2.1-3.1.4.3	Secure holding rooms	2014
Monongahela Valley Hospital	2.2-3.4.5.4	Patient toilet rooms	2014
West Penn Hospital	2.1-8.5.3.2	Size of technology distribution rooms (TDRs)	2014

All requests previously listed are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-2186. Filed for public inspection December 11, 2015, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exceptions

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

John J. Kane—Glen Hazel
955 Rivermont Drive
Pittsburgh, PA 15207
FAC ID # 364802

The following long-term care nursing facility is seeking exceptions to 28 Pa. Code § 205.6(a) (relating to function of building):

Fox Subacute at South Philadelphia
Constitution Health Plaza
1930 South Broad Street
Philadelphia, PA 19145
FAC ID (Pending New Facility)

The following long-term care nursing facility is seeking exceptions to 28 Pa. Code § 205.25(a) (relating to kitchen):

Fox Subacute at South Philadelphia
Constitution Health Plaza
1930 South Broad Street
Philadelphia, PA 19145
FAC ID (Pending New Facility)

The following long-term care nursing facility is seeking exceptions to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Fox Subacute at South Philadelphia
Constitution Health Plaza
1930 South Broad Street
Philadelphia, PA 19145
FAC ID (Pending New Facility)

The following long-term care nursing facility is seeking exceptions to 28 Pa. Code § 205.38(a) and (b) (relating to toilet facilities):

Fox Subacute at South Philadelphia
Constitution Health Plaza
1930 South Broad Street
Philadelphia, PA 19145
FAC ID (Pending New Facility)

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

St. Anne's Retirement Community
3952 Columbia Avenue
Columbia, PA 17512-9715
FAC ID # 450102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-2187. Filed for public inspection December 11, 2015, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Consumer Price Index Adjustment of Base Amounts on Bids Effective January 1, 2016

Each year the Department of Labor and Industry (Department) is required by the following statutes to publish changes to the base amounts triggering the requirement for public bids, telephonic bids or separate bids, or both, for certain contracts. The Department is required to announce the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U): all items CPI-U for the United States city average for the 12-month period ending September 30 of each year. The Department utilizes the most current nonseasonally adjusted series, as published by the United States Bureau of Labor Statistics (BLS), which at present uses 1982-1984 as the index base period (set equal to 100). The percentage change for the 12-month period ending September 30, 2015, is 0.0%.

The change to the base rate is determined as follows:

1) Calculate the percentage change in CPI-U (I) from September 2014 to September 2015. This is derived as $I = (CPI_{15} - CPI_{14})/CPI_{14}$, where the subscripts refer to September 2015 and 2014 values of CPI-U. As reported by the BLS these values are $(237.945 - 238.031)/238.031 = -0.086/238.031 = -0.0361\%$,* which when rounded to 1 decimal place = 0.0%. (This was also reported as 0.0% in Table A of the BLS news release on the Consumer Price Index Summary for September 2015.)

2) The legislation puts a floor of 0 and a cap of 3% on the percentage change to be utilized in the calculations (technically these restrictions are on the Preliminary Adjusted Base (PAB), defined in step 4, however this is mathematically equivalent). The truncated value of the percentage change to be used in the adjustment formula is denoted as PC, resulting in:

- a) $PC = I$, for $0 \leq I \leq 3\%$,
- b) $PC = 0$, for $I < 0$ and
- c) $PC = 3\%$ for $I > 3\%$.

* The various statutes also direct no adjustments if there is no positive percent change.

3) The base value (either original for new legislation or the prior year's PAB) is designated as B and the product of B and PC (determined previously) is P. (There are different values of the base depending on the entity and the type of bid, so technically B could be designated with 2 subscripts. For illustration purposes, the subscripts are omitted.) Then $P = B \cdot PC$. A common value for the base amount in 2015 for a public bid is \$19,421.08. (The other two prior PABs, which are this year's bases for a variety of bid types, were \$10,497.88 and \$26,244.7.) For ex-

ample, using $B = \$19,421.08$, results in $P = \$19,421.08 \cdot 0.0\% = \0.00 .

4) Then the Preliminary Adjusted Base, $PAB = P + B$, which reduces to $\$0.00 + \$19,421.08 = \$19,421.08$

5) The Final Adjusted Base Amount, FAA (which is used as the limit for the next year that is 2016) is the PAB rounded to the nearest 100. Therefore the $FAA = \$19,400.00$.

Final Adjusted Base Amount for Use in 2016

<i>Entity and Legislation</i>	<i>Public Bid</i>	<i>Written / Telephonic Bid</i>	<i>Separate Bids</i>	<i>Concessions</i>
The County Code (16 P. S. §§ 1801—1803 and 2317)	\$19,400.00	\$10,500.00	\$19,400.00	
Second Class County Code (16 P. S. §§ 3112, 5001, 5511-A and 5517)	\$19,400.00	\$10,500.00	\$19,400.00	
Public School Code (24 P. S. §§ 1-120, 7-751 and 8-807.1)	\$19,400.00	\$10,500.00	\$19,400.00	
Public School Code, Thaddeus Stevens College of Technology (24 P. S. § 19-1913.1-B)	\$19,400.00			
Public School Code, State System of Higher Education (24 P. S. §§ 20-2003-A.1 and 20-2010-A)	\$19,400.00			
Prevention and Control of Floods, Flood Control Districts (32 P. S. §§ 662 and 662.1)	\$19,400.00			
Housing Authorities (35 P. S. § 1551)	\$19,400.00	\$10,500.00		
Intergovernmental Cooperation (53 Pa.C.S. §§ 2308, 2311 and 2312)	\$19,400.00	\$10,500.00		
General Municipal Law, Flood Control (53 P. S. § 2863)	\$19,400.00	\$10,500.00		
Political Subdivisions Joint Purchases Law (53 P. S. § 5432)	\$19,400.00	\$10,500.00		
Parking Authorities (53 Pa.C.S. § 5511)	\$26,200.00	\$10,500.00		
Municipal Authorities (53 Pa.C.S. § 5614)	\$19,400.00	\$10,500.00		
Public Auditorium Authorities Law (53 P. S. § 23851)	\$19,400.00	\$10,500.00		
Third Class City Code (53 P. S. §§ 36901.1, 36901.2, 36901.4, 36902, 36903.1 and 36909)	\$19,400.00		\$19,400.00	
The Borough Code (53 P. S. §§ 1402, 1403 and 1405)	\$19,400.00	\$10,500.00	\$19,400.00	
Incorporated Towns (53 P. S. §§ 53202, 53202.1, 53203, 53203.1 and 53205)	\$19,400.00	\$10,500.00	\$19,400.00	
First Class Township Code (53 P. S. §§ 56802, 56803 and 56805)	\$19,400.00	\$10,500.00	\$19,400.00	
Second Class Township Code (53 P. S. §§ 68102 and 68107)	\$19,400.00	\$10,500.00	\$19,400.00	
Economic Development Financing Law (73 P. S. § 382)	\$19,400.00	\$10,500.00		
Metropolitan Transportation Authorities (74 Pa.C.S. § 1750)	\$26,200.00			\$19,400.00
				KATHY MANDERINO, Secretary

[Pa.B. Doc. No. 15-2188. Filed for public inspection December 11, 2015, 9:00 a.m.]

DEPARTMENT OF REVENUE

Rates of Tax on Aviation Gasoline and Jet Fuel for 2016; Oil Company Franchise Tax Rate for 2016; Alternative Fuels Tax Rates for 2016

I. Aviation Gasoline and Jet Fuels

A. Aviation Gasoline Rate for 2016

Under 74 Pa.C.S. § 6121(b) (relating to tax on aviation fuels), the Secretary of Revenue (Secretary) announces that for calendar year 2016 the rate of tax on aviation gasoline and all other liquid fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in propeller-driven piston engine aircraft or aircraft engines decreases to the new rate of 5.5¢¹ per gallon or fractional part thereof.

B. Jet Fuel Rate for 2016

Under 74 Pa.C.S. § 6131(b) (relating to tax on jet fuels), the Secretary announces that for calendar year 2016 the rate of tax on jet fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in turbine-propeller jet, turbojet and jet-driven aircraft and aircraft engines decreases to the new rate of 1.6¢ per gallon or fractional part thereof.

C. Calculating the 2016 Aviation Gasoline and Jet Fuel Rates

The rate of tax on aviation gasoline is adjusted annually beginning on January 1, 1985, and each January 1 thereafter.

The rate of tax on jet fuels is adjusted annually beginning on January 1, 1986, and each January 1 thereafter. Under 74 Pa.C.S. §§ 6121(b) and 6131(b) the rate of each tax increases or decreases 0.1¢ per gallon for each 10% increase or decrease in the producer price index for jet fuel as determined by the United States Department of Labor, Bureau of Labor Statistics, for the most recent 12-month period available as of November 1, 2015, subject to a maximum rate of 6.0¢ per gallon for aviation gasoline and 2.0¢ per gallon for jet fuels.

On October 22, 2015, the most recently available 12-month period was September 2014 to September 2015, as reported in the Bureau of Labor Statistics, United States Department of Labor, Producer Price Index, September 2015, USDL-15-2005, released October 14, 2015, for which the percentage change was -45.8%. Accordingly, the aviation gasoline tax rate decreases from the 2015 rate of 5.9¢ per gallon to the new 2016 rate of 5.5¢ per gallon; the jet fuel tax rate also decreases, from the 2015 rate of 2.0¢ per gallon to the new 2016 rate of 1.6¢ per gallon.

II. Oil Company Franchise Tax

A. Transportation Funding Act of 2013

On November 25, 2013, Governor Corbett signed into law Act 89 of 2013 which amends 75 Pa.C.S. (relating to Vehicle Code) to both eliminate the inflationary cap on the Oil Company Franchise Tax and the fixed 12¢ per gallon Liquid Fuels and Fuels Tax. Specifically, 75 Pa.C.S. § 9002 (relating to definitions) provides for the future

¹ The rate of 5.5¢ per gallon consists of the 1.5¢ per gallon tax imposed by the Liquid Fuels and Fuels Tax Act, 75 Pa.C.S. § 9004(c)(1), and the 4.0¢ per gallon additional tax imposed by 74 Pa.C.S. § 6121(a). As limited by 74 Pa.C.S. § 6121(b), the combined rate of these two component taxes may never exceed 6¢ per gallon or be less than 3¢ per gallon.

removal of the cap and specific wholesale prices for use in the interim years. Accordingly, the statutorily fixed average wholesale price for 2016 is \$2.49.

B. Calculating the 2016 Oil Company Franchise Tax Rate

The rate of the Oil Company Franchise Tax imposed under 75 Pa.C.S. Chapter 95 (relating to taxes for highway maintenance and construction), 75 Pa.C.S. § 9502 (relating to imposition of tax), and collected under 75 Pa.C.S. Chapter 90 (relating to Liquid Fuels and Fuels Tax Act), 75 Pa.C.S. § 9004(b) (relating to imposition of tax, exemptions and deductions), is determined annually by the Department of Revenue (Department) and announced by each December 15 for the following calendar year. The tax rate is determined on a "cents per gallon equivalent basis," which is defined by 75 Pa.C.S. § 9002 as:

The average wholesale price per gallon multiplied by the decimal equivalent of any tax imposed by section 9502 (relating to imposition of tax), the product of which is rounded to the next highest tenth of a cent per gallon. The rate of tax shall be determined by the Department of Revenue on an annual basis beginning every January 1 and shall be published as a notice in the *Pennsylvania Bulletin* no later than the preceding December 15. In the event of a change in the rate of tax imposed by section 9502, the department shall redetermine the rate of tax as of the effective date of such change and give notice as soon as possible.

"Average wholesale price" as previously used is defined as:

The average wholesale price of all taxable liquid fuels and fuels, excluding the Federal excise tax and all liquid fuels taxes, shall be as follows:

(1) After December 31, 2013, and before January 1, 2015, the average wholesale price shall be \$1.87 per gallon.

(2) After December 31, 2014, and before January 1, 2017, the average wholesale price shall be \$2.49 per gallon.

(3) After December 31, 2016, the average wholesale price shall be as determined by the Department of Revenue for the 12-month period ending on the September 30 immediately prior to January 1 of the year for which the rate is to be set. In no case shall the average wholesale price be less than \$2.99 per gallon.

As previously noted, the average wholesale price of liquid fuels and fuels to be used in calculating the 2016 Oil Company Franchise Tax rate shall be \$2.49.

The Oil Company Franchise Tax imposed under 75 Pa.C.S. § 9502 is separated into two portions: mills per gallon not subject to discount (NSTD) and mills per gallon subject to discount (STD). The following table details the underlying calculations:

Composition of Oil Company Franchise Tax (OCFT)

OCFT Per Gallon Not Subject to Discount (NSTD)

Imposed By:	Liquid Fuels	Fuels
75 Pa.C.S. § 9502(a)(1)	60.0	60.0
75 Pa.C.S. § 9502(a)(2)	55.0	55.0
75 Pa.C.S. § 9502(a)(3)	38.5	38.5
75 Pa.C.S. § 9502(a)(4)	00.0	55.0

<i>Imposed By:</i>	<i>Liquid Fuels</i>	<i>Fuels</i>
NSTD Mills per Gallon:	153.5	208.5
Decimal Equivalent:	.1535	.2085
Average Wholesale Price:	<u>x \$2.49</u>	<u>x \$2.49</u>
Product:	38.22¢	51.92¢
OCFT per Gallon, NSTD, rounded to next highest tenth per 75 Pa.C.S. § 9002:	38.3¢	52.0¢

OCFT Per Gallon Subject to Discount (STD)

<i>Imposed By:</i>	<i>Liquid Fuels</i>	<i>Fuels</i>
75 Pa.C.S. § 9502(a)(5)	48.0	48.0
STD Mills per Gallon:	48.0	48.0
Decimal Equivalent:	.0480	.0480
Average Wholesale Price:	<u>x \$2.49</u>	<u>x \$2.49</u>
Product:	11.95¢	11.95¢
OCFT per Gallon, STD, rounded to next highest tenth per 75 Pa.C.S. § 9002:	12.0¢	12.0¢

Total OCFT per Gallon, rounded to next highest tenth

	<i>Liquid Fuels</i>	<i>Fuels</i>
Total OCFT = NSTD + STD:	50.3¢	64.0¢

C. Imposition of Oil Company Franchise Tax on Liquid Fuels and Fuels

The act of April 17, 1997 (P. L. 6, No. 3) provides that the Oil Company Franchise Tax as previously computed is imposed when liquid fuels or fuels are used or sold and delivered in this Commonwealth. Accordingly, the tax imposed upon the use or sale and delivery of 1 gallon of liquid fuels (primarily gasoline) shall be 50.3¢, and the tax imposed upon the use or sale and delivery of 1 gallon of fuels (primarily undyed diesel fuel) shall be 64.0¢.

III. Alternative Fuels Tax Rates for 2016

Under 75 Pa.C.S. § 9004(d) the Secretary is required to compute the rate of tax applicable to each alternative fuel on a gallon-equivalent-basis. Under 75 Pa.C.S. § 9002 “gallon equivalent basis” is defined as the “amount of any alternative fuel as determined by the department to contain 114,500 BTU’s.” The amount determined on a “gallon-equivalent-basis” for each alternative fuel is subject to the Oil Company Franchise Tax currently imposed on 1 gallon of gasoline. The rate of tax on 1 gallon of gasoline during the period of this notice is 50.3¢ which is equal to the Oil Company Franchise Tax.

The 2016 tax rates for Compressed Natural Gas (CNG) and Hydrogen are calculated by utilizing the unit of measurement referred to as the gasoline gallon equivalent (GGE). A GGE is the amount of alternative fuel it takes to equal the energy content of 1 liquid gallon of gasoline. A GGE is the most common form of measurement for gaseous fuels at the retail level. By measuring in GGEs one may make energy and cost comparisons with gasoline.

The Secretary announces that the 2016 tax rates for alternative fuels are as follows:

<i>Alternative Fuel (Liquids)</i>	<i>Rate of Conversion (BTU/Gal of Alternative Fuel)</i>	<i>Tax Rate per Gallon of Alternative Fuel</i>
Ethanol	76,330	\$.336
Methanol	57,250	\$.252
Propane/LPG	84,250	\$.371
E-85	82,056	\$.361
M-85	65,838	\$.290
Liquefied Natural Gas (LNG)	75,714	\$.334
Electricity	3,414 BTU/kWh	\$.0151/kWh
<i>Alternative Fuels under GGE Formula (Gaseous)</i>	<i>GGE Equivalent to One Gallon of Gasoline</i>	<i>Tax Rate per GGE</i>
Compressed Natural Gas (CNG)	1	\$.503
Hydrogen	1	\$.503

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 15-2189. Filed for public inspection December 11, 2015, 9:00 a.m.]

FISH AND BOAT COMMISSION

Proposed Special Regulation Designations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates or redesignates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations and redesignations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on January 20 and 21, 2016, the Commission will consider taking the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective upon publication in the *Pennsylvania Bulletin*:

58 Pa. Code § 65.15. *Catch and release all-tackle.*

The Commission will consider designating the following water as catch and release all-tackle under § 65.15:

<i>County</i>	<i>Water</i>
Potter/Tioga	Upper Kettle Creek Basin, from the headwaters of Kettle Creek downstream to the confluence with Long Run, including Long Run and all tributaries upstream to the headwaters

58 Pa. Code § 65.19. *Stocked trout waters open to year-round fishing.*

The Commission will consider designating the following water as a stocked trout water open to year-round fishing under § 65.19:

<i>County</i>	<i>Water</i>
Wyoming	Lake Winola

At this time, the Commission is soliciting public input concerning the previous designations. Persons with comments, objections or suggestions concerning the designations are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/reg comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 15-2190. Filed for public inspection December 11, 2015, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
54-85	Pennsylvania Liquor Control Board Limited Wineries 45 Pa.B. 5791 (September 26, 2015)	10/26/15	11/25/15
7-496	Environmental Quality Board Remining Requirements 45 Pa.B. 5920 (October 3, 2015)	11/2/15	12/2/15

**Pennsylvania Liquor Control Board Regulation
#54-85 (IRRC #3117)**

Limited Wineries

November 25, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the September 26, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Liquor Control Board (Board) to respond to all comments received from us or any other source.

1. General.

The Board states that the purpose for the proposed rulemaking is to make its regulations consistent with the Liquor Code ("Code") as it is currently written. In addition to wine and alcoholic ciders, Section 505.2(a)(1), (2) of the Code authorizes limited wineries licensees to produce and sell wine coolers. 47 P.S. § 5-505.2(a)(1), (a)(2). We note, however, that the Board's amendments do not address the production or sale of wine coolers. (See §§ 3.62, 3.63, 5.103, and 11.111.) It is our understanding that the Board has excluded wine coolers from its regulations because the term "wine cooler" is not defined in the Code. We recommend the Board define the term and include it in the final rulemaking or explain how the exclusion conforms to the Board's intent to make its regulations consistent with the Code.

2. Section 11.111. Sale by limited winery licensees. Statutory authority; Whether the regulation is consistent with statute; Public interest; Clarity.

Proposed Paragraph (a)(3) states the following:

A limited winery may sell wine and alcoholic ciders from 7 a.m. until 2 a.m. of the following morning, Mondays through Saturdays, and from 9 a.m. until 2 a.m. of the following morning on Sundays.

The Board's response to Regulatory Analysis Form (RAF) question #10 indicates that the proposed rulemaking updates the current regulations to reflect the current hours of operation for limited wineries. The Board cites Section 505.2(a)(6.3) of the Code as the authorizing statutory provision for the proposed amendment.

Section 505.2(a)(6.3) states that holders of a limited winery license may:

[s]ell alcoholic cider, wine and wine coolers *only between the hours of nine o'clock antemeridian and eleven o'clock postmeridian*. A limited winery also may request approval from the board to extend sales hours in individual locations at other times during the year or beyond the limits set forth in this clause. This request shall be made *in writing* . . . and shall detail the exact locations where sales hours are proposed to be extended, the proposed hours and dates of extended operations and the reason for the proposed extended hours. (Emphasis added.)

47 P.S. § 5-502.2(a)(6.3). Since the sales hours may be extended only by considering a detailed request from a limited winery, we believe the Board's proposal to provide for the expansion of the sales hours for all limited wineries is not authorized by the Code. We recommend the Board delete proposed Paragraph (a)(3) and retain existing Paragraph (a)(4), or explain how the proposed revision to sales hours is consistent with the Code.

Proposed Subparagraph (a)(4)(i)

The Preamble and the Board's response to RAF question #10 states the payment method for wine and alco-

holic ciders is being updated to be consistent with the language in the Code and the Board's regulations. However, the Board does not include the statutory authority for the proposed change. We request the Board clarify its statutory authority for this provision.

Proposed Paragraph (a)(5)

The Board proposes that visitors at the winery or at one of the additional Board-approved locations may be provided, with or without charge, samples of wine or alcoholic cider, or both, produced by the limited winery. The proposed language also provides for sampling of wine and alcoholic ciders at locations licensed under a farmer's market permit or under the special permit issued for alcoholic cider, wine and food expositions.

In RAF question #10 and in the Preamble, the Board states that the regulation is being amended to reflect changes in the Code. However, there does not appear to be a specific statutory change to support this amendment to the regulation. The Board should clarify the rationale for including sampling at limited wineries and other licensed locations under special permit.

Existing Subparagraphs (a)(8)(i)(A, C) and (a)(8)(ii)

The Board proposes to delete Pennsylvania-grown fruits, jellies, jams, preserves and mushrooms from the list of items that a limited winery may offer for sale at the winery. We ask the Board to explain how removing Pennsylvania-grown commodities from the list of products that may be offered for sale at limited wineries is in the public interest.

Proposed Paragraph (a)(9)

The Board should provide the statutory authority for accepting Internet orders of wine and alcoholic ciders.

3. Miscellaneous Clarifications:

- The proposed rulemaking uses the following terms: sample, alcoholic cider, wine and food expositions, farmer's market, and agricultural commodity. To improve clarity, we recommend the Board define these terms in the final-form regulation.

- The Board should revise its response to RAF question #8 to include specific statutory citations for all of the proposed changes.

- The Preamble and Board's response to RAF question #10 should be revised to refer to Section 505.2(a)(6.1) of the Code which allows for on or off premises consumption of wine and alcoholic cider, not Section 505.2(a)(6.2) which authorizes licensees to sell wine or liquor-scented candles acquired or produced by the limited winery.

- The Board's response to RAF questions #26 and #27 are identical. The Board should revise its response to RAF question #27.

- In proposed Section 11.111(a)(5) we recommend the Board insert the word "limited" after "the" and before "winery."

**Environmental Quality Board Regulation #7-496
(IRRC #3121)**

Remining Requirements

December 2, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the October 3, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA

(71 P. S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

1. Compliance with the RRA.

Section 5.2 of the RRA (71 P. S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the Preamble and proposed regulation and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under Section 745.5(a) in the Regulatory Analysis Form (RAF). EQB did not respond to question #23 on the RAF related to fiscal savings and costs associated with implementation and compliance for the regulated community, local government and state government for the current year and five subsequent years. We ask EQB to include a response to each question on the final-form RAF.

2. RAF—Clarity and lack of ambiguity.

EQB states in response to RAF question #11 that Section 87.210(d)(2), (3) and (5) include requirements to establish an in-stream pollutant baseline in certain circumstances. EQB states that these provisions are more stringent than federal requirements. These same provisions are found in parallel Sections 88.510 and 90.310. We ask EQB to include all provisions which are more stringent than federal requirements in its response to the final-form RAF.

3. Section 87.204. Application for authorization.—Protection of the public health, safety and welfare; Need for the regulation.

In Subsection (b), EQB currently requires the operator seeking authorization to continue the water quality and quantity monitoring program required by Subsection (a)(2) after making the authorization request. The operator is currently required to submit the results of this monitoring program to the Department of Environmental Protection on a monthly basis until a decision on the authorization is made. EQB states in the Preamble that on the recommendation of the Mining and Reclamation Advisory Board, EQB proposes to allow—rather than require—the operator to continue water monitoring until the permit is issued. We ask EQB to explain in the final-form RAF and Preamble the need for this change, and how this proposed change will adequately protect the public health, safety and welfare.

We ask EQB to address these same concerns related to parallel Sections 88.504 and 90.304 (relating application for authorization).

4. Section 87.210. Effluent limitations.—Clarity and lack of ambiguity.

We have clarity concerns in Subsection (d) (relating to in-stream requirements). Paragraph (d)(1) states:

If the [Department of Environmental Protection (Department)] determines that it is infeasible to collect samples for establishing the baseline pollutant levels *under this subsection*, and that remining will result in significant improvement that would not otherwise occur, the permit applicant *may* establish an in-stream baseline concentration at a suitable point downstream from the remining operation and the numeric effluent limitations in subsection (c)(1) do not apply. (Emphasis added.)

The circumstances under which it is infeasible to collect samples are found in Paragraph (d)(4). EQB should include a reference to the specific paragraph in order to make clear for the regulated community how the Department makes the determination.

Also, Paragraph (d)(1) states that a permit applicant may establish an in-stream baseline concentration at a suitable point downstream from the remining operation. Does EQB intend for this provision to be optional? Paragraph (d)(5) includes circumstances under which the Department may waive the in-stream monitoring requirements. It appears that EQB intends to require permit applicants to establish an in-stream baseline concentration at a suitable point downstream from the remining operation unless the Department grants a waiver. If so, EQB should amend the language to clarify that establishing an in-stream baseline concentration at a suitable point downstream from the remining operation is a requirement unless the Department grants a waiver under Paragraph (d)(5).

We ask EQB to make these same clarifications in parallel Sections 88.510 and 90.310 (relating to effluent limitations).

5. Section 87.213. Procedure for calculating and applying an annual trigger.—Clarity and lack of ambiguity.

Subsections (b) and (c) provide methods for calculating the annual trigger. The methods are taken from paragraphs III.A and III.B of Appendix B in 40 CFR Part 434, respectively. We ask EQB to clarify the calculations as follows.

Based on subparagraph III.A.4 of the CFR, the calculation in paragraph (b)(4) should include an additional set of parentheses.

$$Tb = M + ((1.815 * R) / \text{SQRT}(n))$$

Based on subparagraph III.A.6 of the CFR, the calculation in paragraph (b)(6) should include an additional set of parentheses.

$$Tm = M' - ((1.815 * R') / \text{SQRT}(m))$$

Based on subparagraph III.B.3.b of the CFR, the calculation in subparagraph (c)(7)(ii) should use a small letter “m” rather than a capital.

$$\text{Critical Value} = 0.5 * n * (N+1) - 3.0902 * \text{SQRT}(n * m * (N+1) / 12)$$

Based on subparagraph III.B.3.c of the CFR, the calculation for V in subparagraph (c)(7)(iii) should include additional parentheses.

$$V = ((n * m * S) / (N * (N-1))) - ((n * m * (N+1)^2) / (4 * (N-1)))$$

We ask EQB to make these same clarifications in parallel Sections 88.513 and 90.313 (relating to procedure for calculating and applying an annual trigger).

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 15-2191. Filed for public inspection December 11, 2015, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Woodland SNF, LLC

Woodland SNF, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Woodland Rehabilitation and Nursing Center in Orbisonia, PA. The initial filing was received on July 17, 2015, and was made under the requirements of the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2192. Filed for public inspection December 11, 2015, 9:00 a.m.]

Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On November 24, 2015, the Insurance Department received from the Coal Mine Compensation Rating Bureau (Bureau) a filing for a loss cost level change for Workers' Compensation insurance. This filing was made in accordance with section 705 of the act of July 2, 1993 (P. L. 190, No. 44).

The Bureau requests an overall 4.1% increase in collectible loss costs, effective April 1, 2016, on a new and renewal basis. Additionally, the Bureau has calculated the Employer Assessment Factor effective April 1, 2016, to be 1.70%, as compared to the currently approved provision of 1.65%.

The entire April 1, 2016, loss cost filing is available for review on the Bureau's web site at www.cmcrbpa.com under "Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2194. Filed for public inspection December 11, 2015, 9:00 a.m.]

Bankers Life and Casualty Company (BNLB-130339371); Rate Increase Filing for Several Individual LTC Forms

Bankers Life and Casualty Company is requesting approval to increase the premium 15% on 626 policyholders with the following individual LTC policy form numbers: GR-N400 and GR-N410.

Unless formal administrative action is taken prior to February 25, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2193. Filed for public inspection December 11, 2015, 9:00 a.m.]

Geisinger Health Plan HMO—Medical and Pharmacy; Small Group Transitional Policies; Rate Filing

Geisinger Health Plan HMO submitted a rate filing to increase the medical premium rates for its small group nongrandfathered health plans to be offered to groups renewing June 1, 2016, through October 2016. The filing proposes a rate increase of 0.08% for groups without pharmacy coverage and a 2.18% increase for groups with medical and pharmacy coverage. Approximately 4,069 members will be impacted. The proposed rate increase will generate approximately \$477,000 of additional revenue. The requested effective date of the change is June 1, 2016.

Unless formal administrative action is taken prior to February 25, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120,

rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2195. Filed for public inspection December 11, 2015, 9:00 a.m.]

Geisinger Quality Options, Inc. PPO—Medical and Pharmacy; Small Group Transitional Policies; Rate Filing

Geisinger Quality Options, Inc. submitted a rate filing to increase the medical premium rates for its small group nongrandfathered PPO plans to be offered to groups renewing June 1, 2016, through October 2016. The filing proposes a rate increase of 35% for groups with medical and pharmacy coverage. Approximately 17,200 members will be impacted. The proposed rate increase will generate approximately \$3.0 million of additional revenue. The requested effective date of the change is June 1, 2016.

Unless formal administrative action is taken prior to February 25, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2196. Filed for public inspection December 11, 2015, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Mariam Salahou and Fransome Adeyanju; File No. 15-188-189486; GEICO Casualty Company; Doc. No. P15-11-006; January 20, 2016, 9 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2197. Filed for public inspection December 11, 2015, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Nelson L. Harris; File No. 15-188-190487; Millville Insurance Company of New York; Doc. No. P15-11-022; January 7, 2016, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2198. Filed for public inspection December 11, 2015, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security

Public Meeting held
November 19, 2015

Commissioners Present: Gladys M. Brown, Chairperson;
John F. Coleman, Jr., Vice Chairperson; Pamela A.
Witmer; Robert F. Powelson; Andrew G. Place

*Electric Generation Supplier License Cancellations of
Companies with an Expired Financial Security;
M-2015-2490383*

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Failure to file the requested documentation before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of November 9, 2015, each EGS listed in the Supplier Table below has not submitted the required bond or other approved security to the Commission.

Supplier Table—List of electric generation suppliers that have not submitted the required security

<i>Docket Number</i>	<i>Company Name</i>	<i>Exp. Date</i>
A-2011-2280772	American Enerpower Franchisor LLC	9/1/15
A-2010-2200158	Better Cost Control LLC	9/7/15
A-2013-2387026	Better Cost Energy LLC	9/4/15
A-2009-2132064	Customer Acquisition Specialists of America, Inc.	9/15/15
A-2013-2397012	Delta Energy Services Ohio LLC	10/25/15
A-2013-2397402	Destination Energy LLC	11/12/15
A-2013-2390630	Guaranteed Electric Brokers	9/11/15
A-2010-2210786	Intelligen Resources LP	9/30/15
A-2012-2334259	L5E LLC	10/30/15
A-2014-2437035	Marketing Systems Group LLC	10/24/15
A-2011-2276675	National1 Energy LLC	10/28/15
A-2012-2337856	Northeastern Energy Consultants LLC	11/4/15
A-2009-2137539	Reflective Energy Solutions LLC	10/16/15
A-2011-2220388 *	Rescom Energy LLC	9/3/15
A-2013-2396803	Search Energy LLC	11/13/15

Docket Number

A-2009-2145787 *

A-2012-2284040

* Taking title to electricity

Company Name

Spark Energy LP

Verdigris Energy LLC

Exp. Date

11/11/15

11/2/15

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services (TUS) sent a 60-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 60 days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore*,

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary and shall advise the affected Bureaus within the Commission in writing that the Electric Generation Supplier Licenses held by each company listed in the Supplier Table, are cancelled and the cases may be closed.

4. Upon entry of the Final Order described in ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2199. Filed for public inspection December 11, 2015, 9:00 a.m.]

Energy Efficiency and Conservation Program; Doc. No. M-2014-2424864

The following electric distribution companies filed Energy Efficiency and Conservation Plans with the Pennsylvania Public Utility Commission (Commission) on November 30, 2015, in compliance with the act of October 15, 2008 (P. L. 1592, No. 129), 66 Pa.C.S. § 2806.1(b)(1)(ii) (relating to energy efficiency and conservation program):

Duquesne Light Company at Doc. No. M-2015-2515375

Metropolitan Edison Company at Doc. No. M-2015-2514767

PECO Energy Company at Doc. No. M-2015-2515691

Pennsylvania Electric Company at Doc. No. M-2015-2514768

Pennsylvania Power Company at Doc. No. M-2015-2514769

PPL Electric Utilities Corporation at Doc. No. M-2015-2515642

West Penn Power Company at Doc. No. M-2015-2514772

Each plan is available on the Commission's web site at www.puc.pa.gov.

In accordance with the Energy Efficiency and Conservation Program Implementation Order, entered on June 19, 2015, at Doc. No. M-2014-2424864, responsive pleadings, along with comments and recommendations are to be filed with the Commission within 20 days of the publication of this notice in the *Pennsylvania Bulletin*. Filings must reference the docket number associated with the individual electric distribution company plan it is addressing. If a filing addresses more than one plan, it must be filed at all plan dockets that are addressed.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2200. Filed for public inspection December 11, 2015, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by December 28, 2015. Documents filed in support of the applications are available for inspection and copying at

the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2015-2513926. Paul M. Peachey t/a Peachey Enterprises (36 Peachey Road, Belleville, Mifflin County, PA 17004) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Bedford, Blair, Centre, Clinton, Cumberland, Dauphin, Huntingdon, Juniata, Lancaster, Mifflin, Montour, Perry, Somerset, Snyder and Union, to points in Pennsylvania, and return.

A-2015-2514017. Time Is Essential, LLC (206 Foster Avenue, Havertown, Delaware County, PA 19083) in limousine service, from points in the Counties of Delaware and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.

A-2015-2513903. Mary Beth Williams, t/a PIT Events Transportation Group (1 Elwyn Avenue, Carnegie, Allegheny County, PA 15106) for a brokerage license evidencing the Commission's approval of the right and privilege to operate as a broker, to arrange for the transportation of persons between points in the Counties of Allegheny, Armstrong, Beaver, Butler, Greene, Fayette, Cambria, Indiana, Lawrence, Somerset, Washington and Westmoreland.

Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2015-2513639. Sherman Stat Transport, LLC (2201 Highland Road, Hermitage, PA 16148) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons, in paratransit service, limited to persons with physical or mental disabilities which prevent them from operating motor vehicles, from points in Mercer County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2201. Filed for public inspection December 11, 2015, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due December 28, 2015, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Mahmoud Mahmoud; Docket No. C-2015-2504481

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Mahmoud Mahmoud, Respondent, maintains a principal place of business at 3431 Meadowbrook, Leavittsburg, OH 44430.

2. That on September 17, 2015, Respondent quoted a price of \$20.00 to take PUC Enforcement Officer Christopher Urey from the North Shore, Pittsburgh, Pennsylvania to Lowes, Homestead, Pennsylvania, both in Allegheny County. Respondent does not hold a certificate of public convenience issued by this Commission.

3. That Respondent, by holding out to provide transportation of persons between points in the Commonwealth of Pennsylvania for compensation while not having operating authority with this Commission, violated the Public Utility Code, 66 Pa.C.S. § 1101. The penalty for this violation is \$500.00.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Mahmoud Mahmoud, Respondent, the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 11/10/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and

must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Richard M. Fiori;
Docket No. C-2015-2507334**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Sec-

tion 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Richard M. Fiori, (respondent) is under suspension effective September 18, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 646 New Texas Road, Plum, PA 15239.

3. That respondent was issued a Certificate of Public Convenience by this Commission on May 13, 2002, at A-00118842.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00118842 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/26/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in

your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Veteran Transportation Management, LLC;
 Docket No. C-2015-2507335**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Veteran Transportation Management, LLC, (respondent) is under suspension effective September 16, 2015 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 801 Bingham St, Pittsburgh, PA 15203.
3. That respondent was issued a Certificate of Public Convenience by this Commission on October 24, 2014, at A-2014-2400657.
4. That respondent has failed to maintain evidence of Bond insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-2014-2400657 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
 David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state

that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/26/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. W. H. Transport, LLC; Docket No. C-2015-2507534

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to W. H. Transport, LLC, (respondent) is under suspension effective September 29, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P. O. Box 408, Denver, PA 17517.

3. That respondent was issued a Certificate of Public Convenience by this Commission on May 28, 2013, at A-8915690.

4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue

an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8915690 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/26/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current

insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Lindsay Transit, LLC; Docket No. C-2015-2507928

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Lindsay Transit, LLC, (respondent) is under suspension effective October 01, 2015 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at P. O. Box 252, Glenside, PA 19038-0252.

3. That respondent was issued a Certificate of Public Convenience by this Commission on October 21, 2008, at A-6410127.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6410127 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/26/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If

your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2202. Filed for public inspection December 11, 2015, 9:00 a.m.]

Transmission Line; Prehearing Conference

A-2015-2513898. Trans-Allegheny Interstate Line Company. Application of Trans-Allegheny Interstate Line Company for approval to locate and construct the Pierce Brooke-Lewis Run 230 kV transmission line project in Lewis Run Borough, and Keating, Bradford and Lafayette Townships, McKean County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities), on or before February 1, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Trans-Allegheny Interstate Line Company

Through and By Counsel: Travis M Turner, Engineer III, FirstEnergy Service Company, 5001 NASA Boulevard, Fairmont, WV 26554

Prehearing Conference

An initial prehearing conference on the previously-captioned case will be held as follows:

Date: Monday, February 8, 2016

Time: 10 a.m.

Location: Hearing Room 2
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Presiding: Administrative Law Judge Steven K. Haas
Administrative Law Judge Susan D. Colwell
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-1399
Fax: (717) 787-0481

Persons with a disability who wish to attend the hearing should contact the Commission's scheduling office at least 5 business days prior to the hearing to submit a request regarding arrangements for accommodation of special needs.

If an interpreter is required to participate in the hearings, contact the Commission at least 10 business days prior to the hearing to submit a request. The Commission will make every reasonable effort to have an interpreter present.

- Scheduling Office: (717) 787-1399
 - Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988
- ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2203. Filed for public inspection December 11, 2015, 9:00 a.m.]

STATE BOARD OF PHYSICAL THERAPY

Bureau of Professional and Occupational Affairs v. Bernadette Marie Gannon, PT; Doc. No. 1290-65-13

On October 8, 2015, Bernadette Marie Gannon, PT, Pennsylvania license no. PT007272L, of Hilton Head, SC, had her license revoked, based on findings that she was twice disciplined by the proper licensing authority of another state and failed to report same to the State Board of Physical Therapy (Board).

Individuals may obtain a copy of the adjudication by writing to Teresa Lazo, Board Counsel, State Board of Physical Therapy, P. O. Box 69523, Harrisburg, PA 17106-9523.

This adjudication and order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

SUSAN L. WHITNEY, PhD, PT, NCS, ATC,
Chairperson

[Pa.B. Doc. No. 15-2204. Filed for public inspection December 11, 2015, 9:00 a.m.]

STATE BOARD OF PODIATRY

Bureau of Professional and Occupational Affairs v. Donald Kaplan, DPM; File No. 12-44-02844; Doc. No. 0805-44-15

On October 20, 2015, Donald Kaplan, DPM, Pennsylvania license no. SC001629L, last known of Plantation, FL, had his license to practice podiatry automatically suspended for 5 years from the date of conviction due to his conviction which would be a felony under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

Individuals may obtain a copy of the adjudication by writing to Louis Lawrence Boyle, Board Counsel, State Board of Podiatry, P. O. Box 69523, Harrisburg, PA 17106-9523.

Individuals may file a request for a hearing to challenge the validity of the notice and order of automatic suspension along with an answer within 20 days of publication of this notice. If a request for hearing and answer are not filed within the time period set forth previously, a final order suspending their license will be issued by the State Board of Podiatry (Board). The Board contact for receiving service of appeals is the previously-named Board counsel.

BERT J. ALTMANSHOFFER, DPM,
Chairperson

[Pa.B. Doc. No. 15-2205. Filed for public inspection December 11, 2015, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has rescinded the following list of projects from October 1, 2015, through October 31, 2015.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, being rescinded for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period specified previously:

Rescinded ABR Issued

1. Energy Corporation of America, Pad ID: COP 325 A, ABR-201112011, Girard Township, Clearfield County, PA; Rescind Date: October 5, 2015.
2. Range Resources—Appalachia, LLC, Pad ID: Rupert, Elton Unit #1H Drilling Pad, ABR-201012047, Penn Township, Lycoming County, PA; Rescind Date: October 5, 2015.
3. EXCO Resources (PA), LLC, Pad ID: Cadwalader Pad 2A, ABR-201309006, Cogan House Township, Lycoming County, PA; Rescind Date: October 8, 2015.
4. EXCO Resources (PA), LLC, Pad ID: Cadwalader Pad 3, ABR-201309010, Cogan House Township, Lycoming County, PA; Rescind Date: October 8, 2015.
5. EXCO Resources (PA), LLC, Pad ID: Daisy Barto Unit Well Pad, ABR-201205003, Penn Township, Lycoming County, PA; Rescind Date: October 8, 2015.
6. EXCO Resources (PA), LLC, Pad ID: Dale Bower Pad 2, ABR-201212007, Penn Township, Lycoming County, PA; Rescind Date: October 8, 2015.
7. EXCO Resources (PA), LLC, Pad ID: Herring Pad 9, ABR-201012027, Graham Township, Clearfield County, PA; Rescind Date: October 8, 2015.
8. EXCO Resources (PA), LLC, Pad ID: Kepner Unit Well Pad, ABR-201205013, Penn Township, Lycoming County, PA; Rescind Date: October 8, 2015.

9. EXCO Resources (PA), LLC, Pad ID: Murray Unit Pad, ABR-201204005, Penn Township, Lycoming County, PA; Rescind Date: October 8, 2015.

10. EXCO Resources (PA), LLC, Pad ID: Painters Den Pad 1, ABR-201202010, Davidson Township, Sullivan County, PA; Rescind Date: October 8, 2015.

11. EXCO Resources (PA), LLC, Pad ID: Spotts Unit Drilling Pad 3H, 4H, 5H, 7H, 8H, 9H, ABR-201202003, Miffling Township, Lycoming County, PA; Rescind Date: October 8, 2015.

12. Chesapeake Appalachia, LLC, Pad ID: Bumpville, ABR-201202023, Litchfield Township, Bradford County, PA; Rescind Date: October 21, 2015.

13. Chesapeake Appalachia, LLC, Pad ID: CMI, ABR-201203021, Wysox Township, Bradford County, PA; Rescind Date: October 21, 2015.

14. Chesapeake Appalachia, LLC, Pad ID: Dr. Marone, ABR-201405007, Washington Township, Wyoming County, PA; Rescind Date: October 21, 2015.

15. Chesapeake Appalachia, LLC, Pad ID: Ford, ABR-201106004, Orwell Township, Bradford County, PA; Rescind Date: October 21, 2015.

16. Chesapeake Appalachia, LLC, Pad ID: Hare Ridge, ABR-201210001, Rush Township, Susquehanna County, PA; Rescind Date: October 21, 2015.

17. Chesapeake Appalachia, LLC, Pad ID: Matthews, ABR-201203018, Sheshequin Township, Bradford County, PA; Rescind Date: October 21, 2015.

18. Chesapeake Appalachia, LLC, Pad ID: Maurice, ABR-201204006, Herrick Township, Bradford County, PA; Rescind Date: October 21, 2015.

19. Chesapeake Appalachia, LLC, Pad ID: Shumhurst, ABR-201205019, Tuscarora Township, Bradford County, PA; Rescind Date: October 21, 2015.

20. Chesapeake Appalachia, LLC, Pad ID: Simplex, ABR-201204011, Standing Stone Township, Bradford County, PA; Rescind Date: October 21, 2015.

21. Chesapeake Appalachia, LLC, Pad ID: Whitney, ABR-201208006, Rush Township, Susquehanna County, PA; Rescind Date: October 21, 2015.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: November 23, 2015.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 15-2206. Filed for public inspection December 11, 2015, 9:00 a.m.]